

**Meeting Minutes**  
**Meeting of May 1, 2007**

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Tuesday, May 1, 2007, in Hearing Room One, Ten Franklin Square, New Britain, Connecticut. The meeting was called to order with a quorum present by Colin C. Tait at 2:08 p.m.

**Council Members Present:**

Judge Daniel F. Caruso (arrived at 2:25 p.m.)  
Chairman  
Gerald J. Heffernan  
(designee for Commissioner Downes)  
Brian Emerick  
(designee for Commissioner McCarthy)  
Philip T. Ashton

Colin C. Tait  
Vice Chairman  
Dr. Barbara Currier Bell  
Daniel P. Lynch, Jr.  
James J. Murphy, Jr.  
Edward S. Wilensky

**Staff Members Present:**

Robert L. Marconi  
Assistant Attorney General  
S. Derek Phelps  
Executive Director  
Fred O. Cunliffe  
Supervising Siting Analyst  
Christina Lepage  
Siting Analyst

Robert D. Mercier  
Siting Analyst  
David Martin  
Siting Analyst  
Michael Perrone  
Siting Analyst

**Recording Secretary:**

Lisa A. Fontaine

**Minutes of April 10, 2007.**

Mr. Ashton moved to approve the Minutes of April 10, 2007, as amended; seconded by Mr. Wilensky. The motion passed with Mr. Lynch and Mr. Tait abstaining.

**DOCKET NO. 225 - Kleen Energy Systems, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a Electric Generating Facility and Switchyard on River Road, Middletown, Connecticut. Development and Management Plan.**

Mr. Ashton moved to approve the Water Diversion portion of the Development and Management Plan submitted for this project on March 7, 2007, with the following condition:

- Kleen Energy submit a copy of the water diversion permit to the Council prior to the commencement of construction.

The motion was seconded by Mr. Murphy and passed unanimously.

Mr. Ashton moved to approve the Oil Storage Facility portion of the Development and Management Plan submitted for this project on March 7, 2007, with the following condition:

- Kleen Energy consult with the City of Middletown and the Town of Portland regarding structure color and vegetative screening to maximize mitigation efforts.

The motion was seconded by Mr. Heffernan and passed unanimously.

Mr. Ashton moved to acknowledge and correct a clerical error in the description of this facility in the Decision and Order from 520 MW natural gas-fired combined cycle electric generating facility to 520 (nominal); seconded by Mr. Emerick. The motion passed unanimously.

**DOCKET NO. 272 - The Connecticut Light and Power Company and The United Illuminating Company 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 Substation in Milford, and Singer Substation in Bridgeport, Modifications at Scovill Rock Switching Station and Norwalk Substation and the Reconfiguration of Certain Interconnections. Development and Management Plan – Segment 4C**

Chairman Caruso assumed his role as Chairman.

Mr. Murphy moved to approve the Development and Management (D&M) Plan from Father Conlon Place in Norwalk to the Norwalk Substation, referred to as Segment 4C with the following conditions:

- That CL&P provide two weeks advance notice to the Council and municipalities prior to commencement of construction.
- That CL&P provide a weekly Environmental Inspector's report.
- That CL&P provide a monthly progress reports.

- That CL&P conduct splicing activities on a 24 hour basis, as needed.
- That CL&P notify the Council of workday and/or work hour extensions verbally, as soon as possible, and documented within 24 hours.
- That CL&P notify residents and businesses abutting the rights-of way in vicinity of construction segments (i.e. vault to vault) not less than 48 hours prior to the initiation of construction.
- That erosion and sediment controls comply with the 2002 Connecticut Guidelines for Erosion and Sediment Control.
- That CL&P submit proposed deviations for consideration by the Chairman with written specification of the deviation submitted within 24 hours after the request and all other changes require advance notification and Council approval or are subject to enforcement by the Attorney General.
- That CL&P consult with business owners and the City of Norwalk to determine hours of construction within the commercial district.

The motion was seconded by Mr. Emerick and passed with Dr. Bell recusing.

**DOCKET NO. 299 - Sprint Spectrum, L.P. Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 383 Torrington Road (Route 202), Litchfield, Connecticut. Development and Management Plan.**

Mr. Heffernan moved to approve the Development and Management (D&M) Plan submitted for this project on April 17, 2007; seconded by Mr. Lynch. The motion passed unanimously.

**DOCKET NO. 323 - MCF Communications bg, Inc. and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 12 Carpenter Road, Bolton, Connecticut. Draft Findings of Fact.**

After reviewing the draft Findings of Fact, Chairman Caruso polled Council members with Mr. Ashton, Mr. Heffernan, Mr. Emerick, Mr. Wilensky, Dr. Bell, Mr. Murphy, Mr. Tait, and Chairman Caruso in favor of granting a Certificate for the proposed telecommunications facility with a tower height of 140 feet; and Mr. Lynch recusing.

Chairman Caruso directed staff to draft a favorable Opinion and Decision and Order to be reviewed at the next meeting.

**DOCKET NO. 324 - Sprint Nextel Corporation application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a wireless telecommunications facility at 150 Willow Street, Hamden, Connecticut. Draft Findings of Fact, Opinion, and Decision and Order.**

Mr. Murphy moved to approve the draft Findings of Fact, Opinion, and Decision and Order; seconded by Mr. Heffernan. The motion passed with Mr. Ashton abstaining.

Chairman Caruso requested a written vote on the record with Mr. Tait, Mr. Murphy, Dr. Bell, Mr. Lynch, Mr. Wilensky, Mr. Emerick, Mr. Heffernan, and Chairman Caruso all in favor of granting a Certificate for the proposed telecommunications facility; and Mr. Ashton abstaining.

**DOCKET NO. 329 - Optasite Towers LLC and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at Paddock Avenue in Meriden, Connecticut. Request for Party/Intervenor Status.**

Mr. Emerick moved to approve party status to the City of Meriden; seconded by Mr. Ashton. The motion passed unanimously.

**DOCKET NO. 332 - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 6 Mountain Road or 167 New Milford Turnpike, Washington, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status.**

Mr. Ashton moved to approve the application as complete, the schedule for processing the docket as per staff recommendations, the appointment of Lisa Fontaine as custodian of the docket, the deposition of the transcript in the Town of Washington, and a public field review and hearing in Washington on Thursday, June 21, 2007; seconded by Mr. Lynch. The motion passed unanimously.

Mr. Emerick moved to approve party status for the Town of Washington; seconded by Mr. Ashton. The motion passed unanimously.

**DOCKET NO. 333 - National Grid Wireless, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 17 Cottage Road, Madison, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status.**

Mr. Ashton moved to approve the application as complete, the schedule for processing the docket as per staff recommendations, the appointment of Adriana Popa as custodian of the docket, the deposition of the transcript in the Town of Madison, and a public field review and hearing in Madison on Wednesday, June 20, 2007; seconded by Mr. Lynch. The motion passed unanimously.

Mr. Murphy moved to approve party status for T-Mobile USA, Inc.; seconded by Mr. Emerick. The motion passed unanimously.

**DOCKET NO. 334 - Sprint Nextel Corporation application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 186 Black Rock Turnpike, Redding, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status.**

No action was taken on this item.

**DOCKET NO. 335 - MetroCast Communications of Connecticut, LLC application for a Certificate of Environmental Compatibility and Public Need for the Expansion of its existing CATV Headend facility located at 689 Old Colchester Road, Uncasville-Montville, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status.**

Mr. Ashton moved to approve the application as complete, the schedule for processing the docket as per staff recommendations, the appointment of Adriana Popa as custodian of the docket, the deposition of the transcript in the Town of Montville, and a public field review and hearing in Montville on Thursday, June 14, 2007; seconded by Mr. Wilensky. The motion passed unanimously.

**PETITION NO. 784 - Plainfield Renewable Energy, LLC petition for a declaratory ruling no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance, and operation of a 37.5 MW Wood Biomass Generating Project, Plainfield, Connecticut. Draft Findings of Fact.**

After reviewing the draft Findings of Fact, Chairman Caruso polled the Council members with Mr. Ashton, Mr. Heffernan, Mr. Emerick (with the conditions that the emergency access road be eliminated and mitigation efforts be taken to avoid wetland impact), Mr. Wilensky, Mr. Lynch, Dr. Bell, Mr. Murphy, and Mr. Tait in favor of approving the draft Findings of Fact as amended.

Chairman Caruso directed staff to draft a favorable Opinion and Decision and Order to be reviewed at the next meeting.

**PETITION NO. 805 - Ansonia Generation LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance, and operation of a 58.4 MW combined heat and power natural gas-fired electric generating facility and transmission line tap located at 75 Liberty Street, Ansonia, Connecticut. Request for Party/Intervenor Status.**

Mr. Emerick moved to approve party status for The United Illuminating Company; seconded by Mr. Ashton. The motion passed unanimously.

**PETITION NO. 806 - Omnipoint Communications, Inc. (T-Mobile) petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to an existing telecommunications facility located at 191 Middle Haddam Road, Portland, Connecticut. Decision.**

Mr. Ashton moved to approve this petition; seconded by Mr. Heffernan. The motion passed unanimously.

**PETITION NO. 807 - Cellco Partnership d/b/a Verizon Wireless petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to an existing telecommunications facility located at 723 Farmington Avenue, New Britain, Connecticut. Decision.**

Mr. Ashton moved to approve this petition; seconded by Mr. Wilensky. The motion passed unanimously.

**PETITION NO. 808 - FirstLight Hydro Generating Company petition for a declaratory ruling that the Connecticut Siting Council does not have jurisdiction for the proposed upgrade modifications to an existing Shepaug Hydroelectric Facility located on the Housatonic River, Southbury, Connecticut. Decision.**

Mr. Murphy moved to approve this petition; seconded by Mr. Heffernan. The motion passed unanimously.

**EM-VER-126-070412 - Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at Birdseye Road, Shelton, Connecticut.**

Mr. Ashton moved to acknowledge Cellco Partnership d/b/a Verizon Wireless' notice of intent to modify this existing telecommunications facility; seconded by Mr. Murphy. The motion passed unanimously.

#### **Administrative Matters.**

Chairman Caruso announced that the next energy/telecommunications meeting is scheduled on Tuesday, May 22, 2007, in Hearing Room One. Other calendar dates were also discussed.

**Adjournment.**

Mr. Lynch moved to adjourn the Council meeting at 3:30 p.m.; seconded by Mr. Emerick. The motion passed unanimously.

**Respectfully submitted,**

**Daniel F. Caruso**  
**Chairman**

DFC/laf