

Meeting Minutes
Meeting of July 3, 2007

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Tuesday, July 3, 2007, in Hearing Room One, Ten Franklin Square, New Britain, Connecticut. The meeting was called to order with a quorum present by Daniel F. Caruso at 1:35 p.m.

Council Members Present:

Judge Daniel F. Caruso
Chairman

Gerald J. Heffernan
(designee for Commissioner Downes)

Philip T. Ashton

Colin C. Tait

Vice Chairman

Dr. Barbara Currier Bell

James J. Murphy, Jr.

Edward S. Wilensky

Council Members Absent

Brian Emerick
(designee for Commissioner McCarthy)

Daniel P. Lynch

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

Jennifer Herz
Legal Intern

Recording Secretary:

Carriann Mulcahy

Minutes of June 7, 2007.

Mr. Wilensky moved to approve the Minutes of June 7, 2007; seconded by Mr. Ashton. The motion passed unanimously.

Minutes of June 21, 2007.

Mr. Murphy moved to approve the Minutes of June 21, 2007; seconded by Mr. Heffernan. The motion passed with Mr. Ashton abstaining.

DOCKET NO. 134B Iroquois Gas Transmission System, L.P. Amended Certificate of Environmental Compatibility and Public Need for an interstate natural gas transmission pipeline from Sherman to Milford and Long Island Sound. Integrity Monitoring Corridor.

Mr. Wilensky moved to table this item until further questions have been answered; seconded by Dr. Bell. 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. Vegetative Screening – Wallingford. Construction Hours – Segment 1 and 2. Change Request 4 – Access Road, Wallingford. Request for a Hearing. Request for Party/Intervenor Status.

Mr. Murphy move to approve the 12-hour work schedule, seconded by Mr. Heffernan. During discussion, Mr. Ashton proposed an amendment to allow 12-hour work days in non-residential areas, seconded by Mr. Wilensky. Mr. Murphy moved to table the motion, seconded by Mr. Heffernan. The motion passed with Mr. Wilensky, Mr. Heffernan and Mr. Murphy voting in favor; Mr. Ashton and Mr. Tait voting against; and Dr. Bell recusing.

Mr. Tait moved to allow the Chairman to decide on a case by case basis in consultation with the municipalities on allowable construction work hours, seconded by Mr. Ashton. The motion passed with Dr. Bell recusing.

Mr. Ashton moved to approve the construction of temporary access roads across wetland #59 and #61, seconded by Mr. Wilensky. Mr. Ashton also moved to amend the construction of access roads during low water periods or during periods of frozen soil and that CL&P acquire an amended Army Corps permit; this does not restrict CL&P from using the roads during wet periods; seconded by Mr. Heffernan. The motion passed with Dr. Bell recusing.

Assistant Attorney General Marconi also suggested adding Taylor/Benecci to the Docket 272 Service List for notification purposes only.

DOCKET NO. 320 - Message Center Management, Inc Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located off Greenwoods Road East (U.S. Route 44), Norfolk, Connecticut. Development and Management Plan.

Mr. Ashton moved to approve the Development and Management Plan; seconded by Mr. Heffernan. The motion passed with Mr. Tait abstaining.

DOCKET NO. 326 - The Connecticut Light and Power Company application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a proposed substation located at Stepstone Hill Road, Guilford, Connecticut. Draft Findings of Fact, Opinion, and Decision and Order.

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

Chairman Caruso requested a written vote on the record with Mr. Tait, Mr. Murphy, Dr. Bell, Mr. Wilensky, Mr. Ashton, Mr. Heffernan, and Chairman Caruso in favor for the proposed substation facility.

DOCKET NO. 327 - The Connecticut Light and Power Company application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a proposed substation located off Christian Street, Oxford, Connecticut. Draft Findings of Fact.

After reviewing the draft Findings of Fact, Chairman Caruso polled the Council members with Mr. Ashton, Mr. Heffernan, Mr. Wilensky, Dr. Bell, Mr. Murphy, and Mr. Tait in favor of granting a Certificate for the proposed substation.

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

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. Draft Findings of Fact.

After reviewing the draft Findings of Fact, Chairman Caruso polled the Council members with Mr. Ashton, Mr. Heffernan, Mr. Wilensky, Dr. Bell, Mr. Murphy, and Mr. Tait in favor of granting a Certificate for the proposed CATV Headend facility.

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

DOCKET NO. 337 - 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 off North Street (Route 63), Goshen, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status.

This item was inadvertently on the agenda and no action was taken on this item.

DOCKET NO. 338 – 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 160 West Street, Cromwell, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status.

Mr. Heffernan 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 Cromwell, and a public field review and hearing in Cromwell on Thursday, September 20, 2007; seconded by Dr. Bell. The motion passed unanimously.

DOCKET NO. 339- 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 located at 640 Hilliard Street, Manchester, 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 Carriann Mulcahy as custodian of the docket, the deposition of the transcript in the Town of Manchester, and a public field review and hearing in Manchester on Tuesday, August 28, 2007; seconded by Mr. Heffernan. The motion passed unanimously.

DOCKET NO. 340 - 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 located at 1 Deerfield Lane, Ansonia, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status.

Mr. Wilensky 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 Ansonia, and a public field review and hearing in Ansonia on Tuesday, September 18, 2007; seconded by Mr. Murphy. The motion passed unanimously.

DOCKET NO. 341 - 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 Ashford Center Road (Route 44), Ashford, 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 Carriann Mulcahy as custodian of the docket, the deposition of the transcript in the Town of Ashford, and a public field review and hearing in Ashford on Thursday, September 6, 2007; seconded by Mr. Heffernan. The motion passed unanimously.

PETITION NO. 754 - Best Management Practices for Electric and Magnetic Fields. Decision.

Mr. Tait moved to table this item; seconded by Mr. Murphy. The motion passed unanimously.

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. Decision.

After reviewing the draft staff report, Chairman Caruso polled the Council members with Mr. Ashton, Mr. Heffernan, Mr. Wilensky, Dr. Bell, Mr. Murphy, and Mr. Tait in favor of approving the petition.

Chairman Caruso directed staff to finalize the staff report to be reviewed at the next meeting.

PETITION NO. 811 - Reconsideration of Issues Decided in Petition No. 344.

Mr. Murphy moved to table this item; seconded by Mr. Ashton. The motion passed unanimously.

PETITION NO. 812 - Connecticut Jet Power 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 two 20 MW peaking units located at the Cos Cob facility, Sound Shore Drive, Greenwich, Connecticut. Decision.

Mr. Wilensky moved to table this item; seconded by Mr. Murphy. The motion passed unanimously.

PETITION NO. 815 - Iroquois Gas Transmission System, L.P. petition for a declaratory ruling that the Connecticut Siting Council has an advisory role to the Federal Energy Regulatory Commission regarding Iroquois's 08/09 expansion project in Brookfield, Newtown, and Milford, Connecticut. Schedule.

Mr. Ashton moved to approve the schedule; seconded by Mr. Heffernan. The motion passed unanimously.

PETITION NO. 816 - Waterbury Generation LLC petition for a declaratory ruling regarding the process to be used by the Connecticut Siting Council for review and approval of a proposed combustion turbine peaking facility, located at 725 Bank Street, Waterbury, Connecticut. Decision.

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

PETITION NO. 817 - The Connecticut Municipal Electric Energy Cooperative (CMEEC) petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for a 2 MW emergency generator located at John Street, Wallingford, Connecticut. Decision.

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

PETITION NO. 818 - The Connecticut Light and Power Company (CL&P) petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to the existing CL&P Frost Bridge 8R Substation located at Frost Bridge Road, Watertown, Connecticut. Decision.

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

PETITION NO. 819 - The Connecticut Light and Power Company (CL&P) petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to the existing CL&P Weston Substation, Weston Road, Weston, Connecticut. Decision.

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

Consent Calendar

Items 23-30

EM-VER-060-070605 - Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 331 Route 80, Guilford, Connecticut.

EM-VER-108-070605 - Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 691 Oxford Road, Oxford, Connecticut.

EM-VER-116-070605 - Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 63 Industrial Park Road, Putnam, Connecticut.

EM-CING-043-070607 - New Cingular Wireless PCS, LLC notice of intent to install a temporary cellular telephone facility to be located at 656 Silver Lane, East Hartford, Connecticut.

EM-CING-025-034-088-129-145-166-070612 - New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 1119 Summit Road, Cheshire; 48 Newtown Road, Danbury; 585 So. Main Street (a/k/a New Haven Road), Naugatuck; 126 Pioneer Heights Road, Somers; 23 Holland Road, Union; and 347 East Street, Wolcott, Connecticut.

EM-VER-141-070614 - Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 720 Quinebaug Road, Thompson, Connecticut.

EM-VER-098-070618 - Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 10 Ashpohtag Road, Norfolk, Connecticut.

EM-VER-137-070619 - Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 86 Voluntown Road, Stonington, Connecticut.

Mr. Ashton moved to acknowledge the above referenced exempt modifications (items 23-30) on the consent calendar; seconded by Mr. Murphy. The motion passed unanimously.

EM-CING-008-014-054-085-110-137-070622 - New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 93 Old Amity Road, Bethany; 405 Brushy Plain Road, Branford; Three Mile Road, Glastonbury; 88 Main Street, Monroe; 10 Sparks Street, Plainville; and 82 Mechanic Street, Stonington, Connecticut.

Mr. Ashton moved to acknowledge this regulatory exemption for the Branford, Glastonbury, Monroe, Plainville and Stonington sites and table the Bethany proposal until a revised structural analysis has been received; seconded by Dr. Bell. The motion passed unanimously.

Authority to Change Custodial Assignments

Mr. Tait moved to allow the Executive Director to reassign docket custodians as appropriate, seconded by Mr. Murphy. The motion passed unanimously.

Administrative Matters

Chairman Causo announced that the next energy/telecommunications meeting is scheduled on Thursday, July 26, 2007, at 1:30 p.m., in Hearing Room One. Other calendar dates were also discussed.

Adjournment.

Chairman Caruso adjourned the meeting at 3:15 p.m.

Respectfully submitted,

Daniel F. Caruso
Chairman

DFC/cm