

Meeting Minutes
Meeting of August 29, 2007

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, August 29, 2007, in Hearing Room Two, Ten Franklin Square, New Britain, Connecticut. The meeting was called to order with a quorum present by Daniel F. Caruso at 1:45 p.m.

Council Members Present:

Judge Daniel F. Caruso
Chairman
Gerald J. Heffernan
(designee for Commissioner Downes)
Brian Emerick
(designee for Commissioner McCarthy)
Daniel P. Lynch

Colin C. Tait
Vice Chairman
Dr. Barbara Currier Bell
James J. Murphy, Jr.
Edward S. Wilensky
Philip T. Ashton

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:

Carriann Mulcahy

Minutes of July 26, 2007.

Mr. Ashton moved to approve the Minutes of July 26, 2007, with the corrections suggested by Dr. Bell and Mr. Marconi; seconded by Mr. Murphy. The motion passed unanimously.

Minutes of August 9, 2007.

Mr. Murphy moved to approve the Minutes of August 9, 2007; seconded by Mr. Tait. The motion passed with Mr. Lynch abstaining.

DOCKET NO. 224 - Northeast Utilities Service Company Certificate of Environmental Compatibility and Public Need for the replacement of a submarine electric transmission cable system from Norwalk, Connecticut to Northport, New York. Independent Environmental Consultant.

Mr. Murphy moved to approve ESS Group, Inc. to be the independent environmental consultant for the Long Island Replacement Cable project, seconded by Mr. Tait. The motion passed unanimously.

DOCKET NO. 225 – Kleen Energy Systems, LLC application for a 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 Revision.

Mr. Heffernan moved to approve the modification to the Development and Management Plan; seconded by Mr. Ashton. 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. Change Request.

Mr. Tait moved to approve the change request; seconded by Mr. Murphy. The motion passed with Dr. Bell abstaining.

DOCKET NO. 323 - MCF Communications bg, Inc. and Omnipoint Communications, Inc. Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 12 Carpenter Road, Bolton, Connecticut. Development & Management Plan.

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

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. Draft Findings of Fact.

This item was temporarily passed.

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. Draft Findings of Fact.

This item was temporarily passed.

DOCKET NO. 333 – Lightower 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. Draft Findings of Fact.

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

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

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 Road, Ansonia, Connecticut. Request for Party/Intervenor Status.

Mr. Heffernan moved to approve intervenor status for Osborne Lane Associates, LLC; seconded by Mr. Tait. The motion passed unanimously.

Mr. Tait moved to approve intervenor status for Cellco Partnership d/b/a Verizon Wireless; seconded by Mr. Ashton. The motion passed unanimously.

DOCKET NO. 343 – 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 237 Sandy Hollow Road, Groton, 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 Groton, and a public field review and hearing in Groton on Tuesday, October 30, 2007; seconded by Dr. Bell. The motion passed unanimously.

DOCKET NO. 344 - 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 Rich Road, Thompson, 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 Thompson, and a public field review and hearing in Thompson on Thursday, October 11, 2007; seconded by Wilensky. The motion passed unanimously.

Mr. Murphy moved to approve intervenor status for Cellco Partnership d/b/a Verizon Wireless; seconded by Mr. Tait. The motion passed unanimously.

DOCKET NO. F-2007 - Connecticut Siting Council Review of the Ten-Year Forecast of Connecticut Electric Loads and Resources. Final Report.

Mr. Murphy moved to approve the final report of the Council's Ten-Year Forecast of Connecticut Electric Loads and Resources, seconded by Mr. Emerick. The motion passed unanimously.

PETITION NO. 811 - Reconsideration of Issues Decided in Petition No. 344. In 1995, the Council rendered a declaratory ruling that work at voltages less than 69-kV is not within the Council's jurisdiction even within a substation that is operating above 69-kV, which is under our jurisdiction.

The Council directed Mr. Phelps and Mr. Marconi to draw up language in a document for the Council's review and consideration.

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. Draft Findings of Fact, Opinion, 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 and Mr. Emerick voting no.

Chairman Caruso requested a written vote on the record with Mr. Tait, Mr. Murphy, Dr. Bell, Mr. Wilensky, Mr. Ashton, Mr. Heffernan, Mr. Lynch and Chairman Caruso in favor for the proposed telecommunications facility; Mr. Ashton abstaining; and Mr. Emerick voting no.

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. Draft Findings of Fact.

After reviewing the draft Findings of Fact, Chairman Caruso polled the Council members with Mr. Heffernan, Mr. Emerick, Mr. Murphy, Mr. Tait and Mr. Caruso in favor of granting a Certificate for the proposed telecommunications facility at Site 1, 160 feet, with flush mounted antennas; Mr. Ashton, Mr. Wilensky and Dr. Bell in favor of Site 1, at 150 feet; and Mr. Lynch in favor of Site 1.

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

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. Request for Party/Intervenor Status.

Mr. Tait moved to approve party status for the Town of Brookfield; seconded by Mr. Wilensky. The motion passed with Dr. Bell abstaining.

PETITION NO. 823 - Sprint Nextel Corporation petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to an existing Connecticut Light & Power electrical transmission structure (pole #8012) located at Maple Ridge Drive, Farmington, Connecticut. Decision.

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

PETITION NO. 825 – The Connecticut Light and Power Company petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for proposed visual improvements at the Triangle Substation facility in Danbury, Connecticut. Decision.

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

PETITION NO. 827 – 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 modification of an existing telecommunication tower owned by Northeast Utilities located at 705 West Johnson Avenue, Cheshire, Connecticut. Decision.

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

EM-T-MOBILE-086-061221 – Ominpoint Communications, Inc. notice of intent to modify an existing telecommunications facility located at 57 Cook Road, Montville, Connecticut.

Mr. Heffernan moved to remove this item from the table; seconded by Mr. Wilensky. The motion passed unanimously.

Mr. Wilensky moved to acknowledge this regulatory exemption, seconded by Mr. Lynch. The motion passed unanimously.

EM-CING-132-134-152-165-166-070726 – New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 151 Sand Hill Road, South Windsor; 30 Old Country Road, Stafford; 53 Dayton Road, Waterford; 20 Spring Street, Windsor Locks; and 1233 Wolcott Road, Wolcott, Connecticut.

Mr. Heffernan moved to acknowledge these regulatory exemptions with the condition that the AT&T antenna mounts and platforms for the Stafford and Wolcott towers be removed with 180 days of this acknowledgement, unless they can be utilized by another carrier within that time period; seconded by Mr. Emerick. The motion passed unanimously.

EM-CING-003-077-077-115-126-070726 – New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 36 Janowski Road, Ashford; 239 Middle Turnpike East, Manchester; 575 Hillstown Road, Manchester; 151 Waterbury Road, Prospect; and 14 Booth Hill Road, a/k/a Oxford Drive, Shelton, Connecticut.

Mr. Wilensky moved to acknowledge these regulatory exemptions with the condition that the Shelton tower be reinforced per page 2 of the structural analysis report dated June 8, 2007 and sealed by Jason Seaverson, P.E. prior to the antenna swap and that the a signed letter from a Professional Engineer be submitted to the Council to certify that the modifications have been properly completed; seconded by Mr. Lynch. The motion passed unanimously.

EM-CING-006-049-115-164-167-070730 – New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 60 Rice Lane, Beacon Falls; 37 Bacon Road, Enfield; 178 New Haven Road, a/k/a Kluge Road, Prospect; 340 Bloomfield Avenue, Windsor; and 50 Woodfield Road, Woodbridge, Connecticut.

Mr. Wilensky moved to acknowledge these regulatory exemptions with the condition that the proposed coax lines are installed inside the pole's shaft for the Prospect tower; seconded by Mr. Heffernan. The motion passed unanimously.

Consent Calendar

Items 23-25, 28 and 42

EM-VER-058-070801 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 1439 Voluntown Road, Griswold, Connecticut.

EM-VER-139-070807 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 848 East South Street, Suffield, Connecticut.

EM-CING-038-070808 – New Cingular Wireless PCS, LLC notice of intent to install a temporary cellular telecommunications facility at the Durham Agricultural Fair, Town House Road, Durham, Connecticut.

EM-VER-156-070809 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 85 Plainfield Avenue, West Haven, Connecticut.

EM-EMF-102-070813 – American Tower on behalf of EMF Broadcasting notice of intent to modify an existing telecommunications facility located at 267 Norwich Westerly Road, North Stonington, Connecticut.

Mr. Wilensky moved to acknowledge the above referenced regulatory exemptions (items 23-25, 28 and 42) on the consent calendar; seconded by Mr. Heffernan. The motion passed unanimously.

Mr. Lynch departed at 4:13 p.m.

EM-CING-081-126-131-164-165-070808 – New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 1021 Straits Turnpike, Middlebury; 70 Platt Road, Shelton; 1394 (a/k/a 250) Meriden Waterbury Road, Southington; 404 Hayden Station Road, Windsor; and 4 (a/k/a 2) Volunteer Drive, Windsor Locks, Connecticut.

Mr. Ashton moved to acknowledge these regulatory exemptions with the condition that the new feed lines be installed in a 4-wide by 3-deep stacked arrangement for the Middlebury tower; seconded by Mr. Heffernan. The motion passed unanimously.

EM-CING-007-062-126-135-137-070809 – New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 1657 Wilbur Cross Parkway, Berlin; 360 Gaylord Mountain Road, Hamden; 165 Birdseye Road, Shelton; 366 Old Long Ridge Road, Stamford; and 7 Broadway Avenue Extension, Stonington (Mystic), Connecticut.

Mr. Ashton moved to acknowledge these regulatory exemptions with the condition that the AT&T antennas and coax be removed with 180 days of this acknowledgement, unless they can be utilized by another carrier within that time period ; seconded by Mr. Heffernan. The motion passed unanimously.

EM-CING-011-076-146-070816 - New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 8 Hoskins Road, Bloomfield; 136 New Road, Madison; and 777 Talcottville Road, Vernon, Connecticut.

Mr. Ashton moved to acknowledge these regulatory exemptions, with the condition that the Bloomfield tower be reinforced per the structural analysis report dated August 7, 2007 and sealed by Robert Adair, P.E. prior to the antenna swap and that a signed letter from a Professional Engineer is submitted to the Council to certify that the modifications have been properly completed; seconded by Mr. Emerick. The motion passed unanimously.

EM-CING-023-081-099-126-146-070816 - New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 14 Canton Springs Road, Canton; 2 Larkin Drive, Middlebury; 108 Foxon Road, North Branford; 309 River Road, Shelton; and 60 Industrial Park Road, Vernon, Connecticut.

Mr. Ashton moved to acknowledge these regulatory exemptions, with the condition that the Middlebury tower be reinforced per the structural analysis report dated August 6, 2007 and sealed by Richard Sambor, P.E. prior to the antenna swap and that a signed letter from a Professional Engineer is submitted to the Council to certify that the modifications have been properly completed; seconded by Mr. Heffernan. The motion passed unanimously.

**Consent Calendar
(With Conditions)**

Items 31-41

EM-CING-051-144-146-154-156-070815 - New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 3965 Congress Avenue, Fairfield; Indian Ledge Park, Trumbull; 197 South Street, Vernon; 782 Old Clinton Road, Westbrook; and 1 Burwell Street, West Haven, Connecticut.

EM-CING-135-135-135-141-142-070815 - New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 1590 Newfield Avenue, Stamford; 168 Catoona Lane, Stamford; 70-78 Guinea Road, Stamford; 61 Lowell Davis Road, Thompson; and 497 Old Post Road, Tolland, Connecticut.

EM-CING-054-057-061-160-161-070815 - New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 366 Three Mile Road, Glastonbury; Butternut Hollow Road, Greenwich; 599 Plains Road, Haddam; 111 Trask Road/426 River Road, Willington; and 128 Mather Street, Wilton, Connecticut.

EM-CING-062-070-072-073-080-070815 - New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 890 Evergreen Street, Hamden; Clinton Road/78 Route 81, Killingworth; 899A Colonel Ledyard Highway, Ledyard; 26 Mell Road, Lisbon; and 538 Preston Avenue, Meriden, Connecticut.

EM-CING-057-107-130-130-166-070815 - New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 363 Riverville Drive, Greenwich; 525 Orange Center Road, Orange; 1432 Old Waterbury Road, Southbury; 133 Horse Fence Hill Road, Southbury; and 347 East Street, Wolcott, Connecticut.

EM-CING-078-078-080-083-166-070815 - New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 82 North Eagleville Road, Mansfield; 1725 Stafford Road, Mansfield; 21 West Peak Drive, Meriden; 1969 Saybrook Road, Middletown; and 1233 Wolcott Road, Wolcott, Connecticut.

EM-CING-079-138-151-155-164-070815 - New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 45 North Main Street, Marlborough; 623-627 Honeyspot Road, Stratford; 670 Captain Neville Road, Waterbury; 401 New Britain Avenue, West Hartford; and 50 Pine Lane, Windsor, Connecticut.

EM-CING-094-094-097-107-124-070815 - New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 123 Costello Road, Newington; 36 Prospect Street, Newington; 17 Berkshire Road, Newtown; 1800 Ogg Meadow Road, Orange; and 644 Rimmon Hill Road, Seymour, Connecticut.

EM-CING-007-011-014-015-017-070815 - New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 260 Beckley Road, Berlin; 8 Hoskins Road, Bloomfield; 850 West Main Street, Branford; 38 Kaechele Place, Bridgeport; and 1214 Farmington Road, Bristol, Connecticut.

EM-CING-084-085-086-091-103-070815 - New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 311 Old Gate Lane, Milford; 500 Moose Hill Road, Monroe; 57 Cook Street, Montville; 302 Ball Pond Road, New Fairfield; and 173 West Rock Road, Norwalk, Connecticut.

EM-CING-025-026-027-028-064-070815 - New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 500 Highland Avenue, Cheshire; 49 Wig Hill Road, Chester; 48 Cow Hill Road, Clinton; 600 Old Hartford Road, Colchester; and 305 West Service Road, Hartford, Connecticut.

Mr. Murphy moved to acknowledge these regulatory exemptions with the conditions that:

1. All AT&T equipment including but not limited to equipment shelters, antennas, tower platforms, T-arms, etc., are removed within 180 days of this acknowledgement unless it can be utilized by another carrier within that time period.
2. If AT&T is at the top position on the tower, any tower extension or mast (that only supports AT&T antennas) is removed within 180 days of this acknowledgement unless it can be utilized by another carrier within that time period.

3. The Council recommends that the compounds are cleared of all weeds, brush, and unnecessary clutter.

The motion was seconded by Mr. Ashton. The motion passed unanimously.

Implementation of Section 8 of Public Act No. 07-242 – Initiation of a contested case proceeding to investigate energy security regarding the siting of energy infrastructure. Schedule.

The Council opened a contested case proceeding in consultation with the Emergency Management and Homeland Security Coordinating Council and the Department of Public Utility Control. The proceeding should "investigate energy security with regard to the siting of electric generating facilities and transmission facilities." The Council has designated this proceeding as Docket No. 346.

Administrative Matters

Chairman Caruso announced that the next energy/telecommunications meeting is scheduled on Tuesday, September 25, 2007, at 1:30 p.m., in Hearing Room Two. Other calendar dates were also discussed.

Adjournment.

Chairman Caruso adjourned the meeting at 4:29 p.m.

Respectfully submitted,

Daniel F. Caruso
Chairman

DFC/cm