

Meeting Minutes
Meeting of October 16, 2007

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Tuesday, October 16, 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 2:31 p.m.

Council Members Present:

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

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

Council Members Absent:

Philip T. Ashton

Ed 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:

Carriann Mulcahy

Minutes of September 25, 2007.

Mr. Murphy moved to approve the Minutes of September 25, 2007, with the corrections suggested by Mr. Emerick; seconded by Dr. Bell. 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 4.

Mr. Heffernan moved to approve the revisions to the D&M plan, seconded by Mr. Lynch. The motion passed unanimously.

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. Development and Management Plan.

Mr. Murphy moved to remove this item from the table; seconded by Dr. Bell. The motion passed unanimously.

Dr. Bell moved to approve the D&M Plan with the condition that the views of the substation from Mr. Suntoké's property be re-evaluated in coordination with Mr. Suntoké during leaf-off conditions any plans for additional landscaping deemed necessary be submitted; seconded by Mr. Emerick. The motion passed unanimously.

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 of Christian Street, Oxford, Connecticut. Development and Management Plan.

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

DOCKET NO. 331 - 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 836 Foxon Road, East Haven, Connecticut. Draft Findings of Fact.

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

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

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. Development and Management Plan.

Mr. Heffernan moved to approve the D&M plan; seconded by Mr. Lynch. 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. 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. Tait. The motion passed, with Mr. Emerick abstaining.

Chairman Caruso requested a written vote on the record with Mr. Tait, Mr. Murphy, Dr. Bell, Mr. Heffernan, Mr. Lynch, and Chairman Caruso in favor of the proposed Telecommunications facility.

DOCKET NO. 336 - 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 811 Blue Hills Avenue, Bloomfield, Connecticut. Draft Findings of Fact, Opinion, Decision and Order.

Mr. Lynch moved to approve the draft Findings of Fact, Opinion, and Decision and Order; seconded by Dr. Bell. The motion passed with Mr. Emerick abstaining.

Chairman Caruso requested a written vote on the record with Mr. Tait, Mr. Murphy, Dr. Bell, Mr. Heffernan, Mr. Lynch, and Chairman Caruso in favor of the proposed Telecommunications facility.

DOCKET NO. 342 - 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 425 Litchfield Road, New Milford, Connecticut. Draft Findings of Fact.

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

DOCKET NO. 346 - Implementation of Section 8 and Section 54 of Public Act No. 07-242 An Act Concerning Electricity and Energy Efficiency. Request for Party/Intervenor Status.

Mr. Emerick moved to approve party status for Connecticut Light & Power; seconded by Mr. Lynch. The motion passed unanimously.

Dr. Bell moved to approve party status for the United Illuminating Company; seconded by Mr. Heffernan. The motion passed unanimously.

DOCKET NO. 347 - 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 700 Kent Road, New Milford, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status.

Mr. Emerick 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 New Milford, and a public field review and hearing in New Milford on Tuesday, December 18, 2007; seconded by Dr. Bell. The motion passed unanimously.

Mr. Lynch moved to approve intervenor status for the Town of New Milford Zoning Commission; seconded by Mr. Heffernan. The motion passed unanimously.

PETITION NO. 809 - Extenet Systems, Inc. petition for a declaratory ruling that the Connecticut Siting Council does not have jurisdiction or, in the alternative, that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction of a Distributed Antenna System along the Merritt Parkway from New York state line to Westport, Connecticut. Draft Findings of Fact.

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

Mr. Murphy moved to state that the Council has jurisdiction on DAS technologies; seconded by Mr. Heffernan. The motion passed with Mr. Lynch voting no..

Mr. Heffernan, Mr. Emerick, Dr. Bell, Mr. Murphy, Mr. Tait and Chairman Caruso voted that the Council does have jurisdiction over this project; with Mr. Lynch voting no.

Mr. Murphy moved that the project would not have a substantial adverse environmental effect; seconded by Mr. Emerick. The motion passed unanimously.

PETITION NO. 828 – DFG-ERG Milford, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the installation of a fuel cell facility located at 775 Oronoque Road, Milford, Connecticut. Decision.

Mr. Heffernan moved to approve this petition; seconded by Mr. Lynch. The motion passed with Dr. Bell abstaining.

PETITION NO. 830 – Wesleyan University petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed 2,398 kW natural gas-powered cogeneration project located at 280 Williams Street, Middletown, Connecticut.

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

EM-MCM-004-070824 – Message Center Management, Inc. notice of intent to modify an existing telecommunications facility located at 81 Montevideo Road, Avon, Connecticut.

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

Mr. Murphy moved to acknowledge this regulatory exemption with the condition that MCM will flag any trees slated for removal in the field and note same on the construction drawings to be submitted as part of any building permit application; seconded by Mr. Heffernan. The motion passed unanimously.

Consent Calendar

Items 16-22

EM-VER-167-070925 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 77 Pease Road, Woodbridge, Connecticut.

EM-VER-023-070925 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 540 Cherry Brook Road, Canton, Connecticut.

EM-VER-078-070925 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 497 Middle Turnpike, Mansfield, Connecticut.

EM-SPRINT-084-071002 – Sprint Spectrum LP notice of intent to modify an existing telecommunications facility located at 438 Bridgeport Road, Milford, Connecticut.

EM-SPRINT-162-071002 – Sprint Spectrum LP notice of intent to modify an existing telecommunications facility located at 428 Platt Hill Road, Winsted, Connecticut.

EM-CING-047-052-131-142-164-071004 – New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 232 South Main Street, East Windsor; 319-321 New Britain Avenue, Farmington; 250 Meriden-Waterbury Turnpike, Southington; 5 Barbara Road, Tolland; and 750 Rainbow Road, Windsor, Connecticut.

EM-VER-033-071005 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 179 Shunpike Road, Cromwell, Connecticut.

Mr. Murphy moved to acknowledge the above referenced regulatory exemptions (items 16-22) on the consent calendar, with the standard conditions applied to items 21 and 22; seconded by Mr. Emerick. The motion passed unanimously.

Administrative Matters

Chairman Caruso announced that the next energy/telecommunications meeting is scheduled on Monday, November 5, 2007, at 1:30 p.m., in Hearing Room Two. Other calendar dates were also discussed.

Mr. Phelps congratulated Mrs. Lisa Fontaine on her promotion to Fiscal Administrative Officer.

Mr. Phelps also announced that Mr. Murphy will be representing the Council at “What’s the Deal?” on October 17, 2007, at the Crowne Plaza, Cromwell.

Adjournment.

Chairman Caruso adjourned the meeting at 4:20 p.m.

Respectfully submitted,

Daniel F. Caruso
Chairman

DFC/cm