

**Meeting Minutes**  
**Meeting of November 5, 2007**

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Monday, November 5, 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 1:40 p.m.

**Council Members Present:**

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

Ed Wilensky  
Philip T. Ashton  
Dr. Barbara Currier Bell  
James J. Murphy, Jr.  
Daniel P. Lynch

**Council Members Absent:**

Colin C. Tait  
Vice Chairman

**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 October 16, 2007.**

Mr. Murphy moved to approve the Minutes of September 25, 2007, with the corrections suggested by Mr. Lynch; seconded by Mr. Emerick. The motion passed with Mr. Wilensky and Mr. Ashton 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. Monitoring and Mitigation Plan.**

Mr. Ashton moved to approve the Monitoring and Mitigation Plan for the Long Island Replacement Cable Project in accordance with the approved D&M Plan, seconded by Mr. Heffernan. 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. Post Construction Electric and Magnetic Field Monitoring Plan.**

Mr. Heffernan moved to approve the Post Construction Electric and Magnetic Field Monitoring Plan; seconded by Mr. Wilensky. The motion passed with Dr. Bell abstaining.

**DOCKET NO. 312 – New Cingular Wireless PCS, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 350 Hartland Boulevard in Hartland, Connecticut. Development and Management Plan.**

Mr. Ashton moved to approve the Development and Management Plan; seconded by Mr. Lynch. The motion passed unanimously.

**DOCKET NO. 327 - The Connecticut Light and Power Company 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. Wilensky moved to remove this item from the table, seconded by Mr. Lynch. The motion passed unanimously.

Mr. Ashton moved to approve the Development and Management Plan, with the condition that trees be planted on the north side of the substation; seconded by Mr. Heffernan. The motion passed unanimously.

**DOCKET NO. 329 – Optasite Towers LLC and Omnipoint Communications, Inc. Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 651 Paddock Avenue in Meriden, Connecticut. Development and Management Plan.**

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

**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, 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 unanimously.

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

**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. Draft Findings of Fact.**

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

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

**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. Draft Findings of Fact.**

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

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

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

The Council reviewed the findings of fact. No action was taken.

**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. Murphy moved to approve party status for the Connecticut Municipal Electric Energy Cooperative; seconded by Mr. Heffernan. The motion passed unanimously.

Mr. Murphy moved to approve intervenor status for the Connecticut Energy Advisory Board; seconded by Mr. Emerick. The motion passed unanimously.

**Fiscal Year 2009 Proposed Budget Adjustments**

Mr. Murphy moved to approve the proposed adjustments to the budget; seconded by Mr. Heffernan. The motion passed unanimously.

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

Mr. Emerick moved to send the final draft out to parties and intervenors for comment; seconded by Mr. Heffernan. The motion passed with 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. Decision.**

Mr. Ashton moved to approve the decision; 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. Draft Findings of Fact.**

The Council reviewed the draft Findings of Fact. The Council directed the staff to draft an Opinion and Recommendations that would be sent to FERC.

**PETITION NO. 829 – The Connecticut Light and Power Company petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the replacement of an existing telecommunications tower located at 626 Glenbrook Road, Stamford, Connecticut. Decision.**

Dr. Bell moved to approve this item, with the following conditions:

- 1) The tower be designed with a yield point to ensure that the tower setback radius would remain on the CL&P property.
- 2) The fencing around the tower contain privacy slats to minimize the visibility of the ground equipment.

Mr. Murphy seconded the motion. The motion passed unanimously.

**PETITION NO. 831 – Waterbury Generation LLC petition for a declaratory ruling no Certificate of Environmental Compatibility and Public Need is required for the construction of an electric generating facility and associated transmission line tap located at 725 Bank Street, Waterbury, Connecticut. Schedule**

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

**PETITION NO. 832 – Nextel Communications, Inc. 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 North Main Street, Marlborough, Connecticut. Decision.**

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

### **Consent Calendar**

#### **Items 19-29**

**EM-VER-085-091-108-071011 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify existing telecommunications facilities located at 474 Main Street, Monroe; 29 Bogus Hill Road, New Fairfield; and 85 Quaker Farms Road, Oxford, Connecticut.**

**EM-VER-134-071012 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 51 Stony Lane, Stafford, Connecticut.**

**EM-SPRINT-NEXTEL-064-071012 – Nextel Communications, Inc. notice of intent to modify an existing telecommunications facility located at 99 Meadow Street, Hartford, Connecticut.**

**EM-VER-129-071015 - Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 126 Pioneer Heights Road, Somers, Connecticut.**

**EM-VER-059-071017 - Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 75 Roberts Road, Groton, Connecticut.**

**EM-VER-023-071025 - Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 14 Canton Springs Road, Canton, Connecticut.**

**EM-VER-146-071023 - Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 777 Talcottville Road, Vernon, Connecticut.**

**EM-CING-148-071025 – New Cingular Wireless PCS, LLC notice of intent to modify an existing telecommunications facility located at 989 Church Street, Wallingford, Connecticut.**

**EM-CING-167-071025 – New Cingular Wireless PCS, LLC notice of intent to modify an existing telecommunications facility located at 1116 Johnson Road, Woodbridge, Connecticut.**

**EM-CING-154-071025 – New Cingular Wireless PCS, LLC notice of intent to modify an existing telecommunications facility located at 315 Spencer Plains Road, Westbrook, Connecticut.**

**EM-CING-045-071025 – New Cingular Wireless PCS, LLC notice of intent to modify an existing telecommunications facility located at 2 Scott Road, East Lyme, Connecticut.**

Mr. Ashton moved to acknowledge the above referenced regulatory exemptions (items 19-29) on the consent calendar, with the standard conditions applied to items 22-23 and 27-29; seconded by Mr. Murphy. The motion passed unanimously.

**Administrative Matters**

Chairman Caruso announced that the next energy/telecommunications meeting is scheduled on Thursday, November 29, 2007, at 1:30 p.m., in Hearing Room One.

Mr. Phelps introduced our new staff member Jessica Brito.

**Adjournment.**

Chairman Caruso adjourned the meeting at 4:34 p.m.

**Respectfully submitted,**

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

DFC/cm