

Meeting Minutes
Meeting of December 14, 2007

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Friday, December 14, 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 1:38 p.m.

Council Members Present:

Judge Daniel F. Caruso
Chairman

Gerald J. Heffernan
(designee for Commissioner Downes)

Philip T. Ashton
Dr. Barbara Currier Bell

Colin C. Tait
Vice Chairman
Daniel P. Lynch
James J. Murphy, Jr.
Ed Wilensky

Council Member Absent:

Brian Emerick
(designee for Commissioner McCarthy)

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:

Jessica Brito

Minutes of November 29, 2007.

Mr. Wilensky moved to approve the Minutes of November 29, 2007, seconded by Mr. Heffernan. The motion passed with Mr. Tait abstaining.

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. Crossings of Watercourses and Railroads – City of Milford.

Mr. Murphy moved to approve the revision of the Development and Management (D&M) Plan for the Horizontal Directional Drill proposed to cross under the Metro North main line (near intersection of I-95 and Naugatuck Avenue) and the utility bridge over the Metro North Waterbury spur (near intersection of Naugatuck Avenue and Kent Street) in the City of Milford. With the conditions that The Connecticut Light and Power Company obtain temporary work area easements, a Department of Transportation (DOT) encroachment permit, an agreement with Metro-North and consult with the Department of Environmental Protection and DOT to maintain public access to the state-owned boat launch prior to commencement of construction; seconded by Mr. Ashton. The motion passed with Dr. Bell recusing.

DOCKET NO. 292 – The Connecticut Light & Power Company application for a Certificate of Environmental Compatibility and Public Need for the construction and operation of 8.7 miles of new underground 115-kilovolt electric transmission cables extending from CL&P’s existing Glenbrook Substation in the City of Stamford, through the Town of Darien, to CL&P’s existing Norwalk Substation in the City of Norwalk. Norwalk Substation – Development and Management Plan Amendment.

Mr. Tait moved to amend the Development and Management Plan for the Norwalk Substation in Norwalk with the condition that BSC Environmental Group, which inspects the substation on a biweekly basis for Docket 272, include the area of work associated with this project in the scope of inspections. Construction at the Glenbrook Substation should be inspected and reported as part of the bi-weekly inspections done on the underground line portion of the project by Louise Mango of Phenix Environmental, Inc. This motion was seconded by Mr. Ashton and passed unanimously.

DOCKET NO. 336 - Cellco Partnership d/b/a Verizon Wireless 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. Development and Management Plan.

Mr. Wilensky moved to approve the Development and Management Plan submitted for this project on November 28, 2007; seconded by Mr. Ashton. The motion passed unanimously.

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. Draft Findings of Fact, Opinion, Decision and Order.

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

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

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), Connecticut. Draft Findings of Fact, Opinion, Decision and Order.

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

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

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. Discussion.

Mr. Murphy moved to continue this discussion until Tuesday, December 18, 2007, to see if an extension from the applicant on this proceeding will be granted; seconded by Mr. Ashton. 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. Party/Intervenor Request.

Mr. Tait moved to approve intervenor status for the following, grouping those that have the same residence:

Henry and Elizabeth Marino

Dan and Alisyn Hamilton

Stephen and Barbara Dull

Peter and Aline Flynn

Siegel Deutsch, Esq.

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

DOCKET NO. 352 - 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 264 Rood Avenue and 25 Shelley Avenue, Windsor, 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 Windsor; and a public field review and hearing in Windsor on Thursday, February 21, 2008; seconded by Dr. Bell. The motion passed unanimously.

DOCKET NO. 354 - 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 of Old Baird Road, Watertown, 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 Watertown; and a public field review and hearing in Watertown on Tuesday, February 26, 2008; seconded by Mr. Wilensky. The motion passed unanimously.

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

Mr. Ashton moved to approve the revised Best Management Practices for Electric and Magnetic Fields; seconded by Mr. Murphy. The motion passed with Mr. Lynch voting no.

Chairman Caruso and many Council members complimented the subcommittee (Mr. Tait, Mr. Emerick, and Dr. Bell) and the staff analyst (Robert Mercier) for an informative, well-written public document and Council guide.

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

Mr. Ashton moved to affirm the Council's original declaratory ruling in Pet. No. 344 that work at voltages less than 69-kV is not within the Council's jurisdiction and adopt the proposed written decision drafted by Assistant Attorney General Robert Marconi. As provided in the written decision, the Council also clarified that if newly-installed equipment causes a "significant change or alteration in the general physical characteristics" of a substation within the Council's jurisdiction, such a change would be a modification to a facility, as defined in Conn. Gen. Stat. § 16-50i (d), and within the Council's jurisdiction. The motion was seconded by Dr. Bell and 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. Request for Party/Intervenor Status.

Mr. Murphy moved to approve intervenor status to The Connecticut Light and Power Company; seconded by Mr. Ashton. The motion passed unanimously.

PETITION NO. 834 – Watertown Renewable Power, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, an operation of a 30 MW biomass gasification generating project located at Echo Lake Road, Watertown, Connecticut. Decision.

Mr. Tait moved to approve the schedule for processing this petition per staff recommendations with a field review and hearing in Watertown on Tuesday, February 5, 2008; seconded by Mr. Heffernan. The motion passed unanimously.

Mr. Murphy moved to approve intervenor status to The Connecticut Light and Power Company; seconded by Dr. Bell. The motion passed unanimously.

PETITION NO. 835 – 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 of an existing telecommunications facility located at 1294 Pleasant Valley Road North, Groton, Connecticut. Decision.

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

PETITION NO. 836 – Waterside Power LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction and operation of a permanent peaking facility located at 17 Amelia Place, Stamford, Connecticut. Schedule.

Mr. Murphy moved to approve the schedule for processing this petition per staff recommendations with a field review and hearing on Thursday, March 6, 2008; seconded by Mr. Tait. The motion passed unanimously.

Mr. Heffernan moved to approve intervenor status to The Connecticut Light and Power Company; seconded by Dr. Bell. The motion passed unanimously.

EM-CING-113-071113 – New Cingular Wireless PCS, LLC notice of intent to modify an existing telecommunications facility located at 97 High Street, Portland, Connecticut.

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

Mr. Murphy moved to acknowledge New Cingular Wireless PCS, LLC notice of intent to modify this existing telecommunications facility; seconded by Mr. Heffernan. The motion passed unanimously.

**Consent Calendar
(Items 18-20; 22-25)**

EM-T-MOBILE-074-070928 (Revised) – Omnipoint Communications, Inc. a/k/a T-Mobile notice of intent to modify an existing telecommunications facility located at 383 Torrington Road, Litchfield, Connecticut.

EM-CING-128-071126 – New Cingular Wireless PCS, LLC notice of intent to modify an existing telecommunications facility located at 871 Hopmeadow Street, Simsbury, Connecticut.

EM-VER-145-071127 – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 1050 Buckley Highway, Union, Connecticut.

EM-CING-165-071130 – New Cingular Wireless PCS, LLC notice of intent to modify an existing telecommunications facility located at 55 King Spring Road, Windsor Locks, Connecticut.

EM-CING-142-071205 – New Cingular Wireless PCS, LLC notice of intent to modify an existing telecommunications facility located at 130 Bald Hill Road, Tolland, Connecticut.

TS-METROPCS-015-071129A – MetroPCS New York, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 1069 Connecticut Avenue, Bridgeport, Connecticut.

TS-METROPCS-015-071129B – MetroPCS New York, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 623 Pine Street, Bridgeport, Connecticut.

Mr. Tait moved to approve and/or acknowledge the above referenced tower shares and regulatory exemptions (items 18-20; 22-25) on the consent calendar with the standard conditions applied to items 19 and 24; seconded by Mr. Ashton. The motion passed unanimously.

EM-CING-049-071129 – New Cingular Wireless PCS, LLC notice of intent to modify an existing telecommunications facility located at 4 Oliver Road, Enfield, Connecticut.

Mr. Murphy moved to acknowledge New Cingular Wireless PCS, LLC notice of intent to modify this existing telecommunications facility; seconded by Mr. Tait. The motion passed with Mr. Lynch abstaining.

TS-METROPCS-135-071129 – MetroPCS New York, LLC request for an order to approve tower sharing at an existing telecommunications facility located at 168 Catoona Lane, Stamford, Connecticut.

Mr. Heffernan moved to approve MetroPCS New York, LLC request for an order to approve tower sharing at an existing telecommunications facility with the condition that the tower be inspected and that a copy of the inspection be submitted to the Council; seconded by Mr. Ashton. The motion passed unanimously.

Fiscal Year 2009 Proposed Budget.

Mr. Ashton moved to approve the proposed Fiscal Year 2009 budget to be submitted to the joint standing committee of the General Assembly having cognizance of appropriations and the budgets of state agencies; seconded by Mr. Heffernan. The motion passed unanimously.

Administrative Matters

Chairman Caruso announced that the next energy/telecommunications meeting is scheduled on Thursday, January 10, 2008, at 1:30 p.m., in Hearing Room One. A possible continuation date for Docket No. 347 (Verizon/New Milford) on Wednesday, January 23, 2008, was also discussed.

Chairman Caruso thanked Mr. Lynch and the Honorable John B. Larson for the 2008 calendars.

Adjournment.

Chairman Caruso adjourned the meeting at 3:06 p.m.

Respectfully submitted,

Daniel F. Caruso
Chairman

DFC/JB/laf