

Meeting Minutes
Meeting of February 19, 2009

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, February 19, 2009, 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 2:09 p.m.

Council Members Present:

Judge Daniel F. Caruso
Chairman
Brian Golembiewski
(designee for Commissioner McCarthy)
James J. Murphy, Jr.

Colin C. Tait
Vice Chairman
Barbara Currier Bell
Daniel P. Lynch, Jr.

Council Members Absent:

Gerald J. Heffernan
(designee for Commissioner Downs)

Philip T. Ashton.
Edward S. Wilsensky

Staff Members Present:

S. Derek Phelps
Executive Director
Fred O. Cunliffe
Supervising Siting Analyst
Melanie Bachman
Staff Attorney
Christina Walsh
Siting Analyst

Robert D. Mercier
Siting Analyst
David Martin
Siting Analyst
Michael Perrone
Siting Analyst

Recording Secretary:

Carriann Mulcahy

Minutes of January 22, 2009.

Dr. Bell moved to approve the minutes of January 22, 2009, seconded by Mr. Murphy. The motion passed unanimously.

Minutes of February 6, 2009.

Mr. Murphy moved to approve the minutes of February 6, 2009, seconded by Dr. Bell. The motion passed unanimously.

DOCKET NO. 364 - The Connecticut Light and Power Company application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a new bulk-power 115-kV to 23-kV substation located at 325 Waterford Parkway North, Waterford, Connecticut. Development and Management Plan. Acquisition of Property.

Mr. Murphy moved to acknowledge the receipt of notice of the Acquisition of Property, seconded by Dr. Bell. The motion passed unanimously.

Dr. Bell moved to approve the Development and Management Plan with the following conditions:

- The existing catch basin shall be protected with erosion and sedimentation controls, and the catch basin shall be cleaned at the end of construction.
- If blasting is required, a blasting plan be submitted to the Council for review and approval; and
- CL&P shall notify Council staff in advance of any construction work that would occur outside normal working hours, i.e. 7:00 a.m. to 5:00 p.m. Monday through Friday.

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

DOCKET NO. 365 - 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 39 Maennerchor Avenue, Taftville, Connecticut. Development and Management Plan.

Mr. Murphy moved to approve the Development and Management Plan with the condition that the applicant use a native tree species such as Eastern Hemlock during landscaping. The motion was seconded by Mr. Tait. The motion passed unanimously.

DOCKET NO. 368 - 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 Sterling Road (Route 14), Plainfield, Connecticut. Draft Findings of Fact.

Mr. Murphy moved to approve the draft Findings of Fact, Opinion, and Decision and Order, as amended, seconded by Dr. Bell. The motion passed unanimously.

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

DOCKET NO. 370 - The Connecticut Light and Power Company application for Certificates of Environmental Compatibility and Public Need for the Connecticut Valley Electric Transmission Reliability Projects which consist of (1) The Connecticut portion of the Greater Springfield Reliability Project that traverses the municipalities of Bloomfield, East Granby, and Suffield, or potentially including an alternate portion that traverses the municipalities of Suffield and Enfield, terminating at the North Bloomfield Substation; and (2) the Manchester Substation to Meekville Junction Circuit Separation Project in Manchester, Connecticut. Request for Party/Intervenor Status.

Mr. Murphy moved to approve party status for the Town of Enfield, seconded by Mr. Golembiewski. The motion passed with Mr. Lynch abstaining.

Mr. Murphy moved to approve intervenor status for NRG Energy, Inc., seconded by Mr. Tait. The motion passed with Mr. Lynch abstaining.

DOCKET NO. 372 – 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 631 Orange Avenue, Milford, Connecticut. Request for Party/Intervenor Status.

Mr. Tait moved to approve intervenor status for Henry and Nancy Rotman, seconded by Mr. Murphy. The motion passed with Dr. Bell abstaining.

DOCKET NO. 373 - New Cingular Wireless PCS, LLC (AT&T) application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at St. Matthew Lutheran Church, 224 Lovely Street, Avon, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status.

Mr. Murphy moved to approve the application as complete, the schedule for processing the docket as per staff recommendations, the appointment of Jessica Brito as custodian of the docket, the deposition of the transcript in the Town of Avon, and a public field review and hearing in Avon on Tuesday, March 31, 2009; seconded by Dr. Bell. The motion passed unanimously.

Mr. Tait moved to approve party status for Peter Wiese, seconded by Mr. Murphy. The motion passed unanimously.

Mr. Tait moved to approve party status for Jane Garrett, seconded by Mr. Lynch. The motion passed unanimously.

Mr. Murphy moved to approve Mark and Sheriden Toomey party status and to group them as one party, seconded by Dr. Bell. The motion passed unanimously.

Mr. Lynch moved to approve Thomas and Patricia McMahon party status and to group them as one party, seconded by Mr. Murphy. The motion passed unanimously.

DOCKET NO. 374 – 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 199 Town Farm Road, Farmington, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status.

Mr. Murphy moved to table this item, seconded by Dr. Bell. The motion passed unanimously.

PETITION NO. 794 - Clearview Renewable Energy, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 29.0 MW Mixed Biomass Generating Project located at the Kofkoff Egg Farm, Bozrah, Connecticut. Decision.

Mr. Tait moved to send a letter to the parties to come to an agreement on a date by which the Council should make a decision before the next E/T Meeting scheduled for March 12, 2009. The motion was seconded by Mr. Golembiewski. The motion passed with Mr. Lynch abstaining.

PETITION NO. 878 - Youghiogheny Communications-Northeast, LLC d/b/a Pocket Communications 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 85 Plainfield Avenue, West Haven, Connecticut. Decision.

Dr. Bell moved to approve this petition with the following condition that an updated structural analysis, including the GPS antenna, sealed by Professional Engineer duly licensed in the State of Connecticut, shall be submitted to the Council prior to construction. The motion was seconded by Mr. Murphy. The motion passed unanimously.

PETITION NO. 881 - The United Illuminating Company petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the replacement of the existing switching station infrastructure and control building located at UI's existing Grand Avenue Switching Station, New Haven, Connecticut. Decision

Mr. Golembiewski moved to approve this petition, seconded by Dr. Bell. The motion passed unanimously.

PETITION NO. 882 - The United Illuminating Company petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the installation of two low-noise transformers along with associated equipment located at UI's Broadway 115/13.8 kV Substation, New Haven, Connecticut. Decision.

Mr. Golembiewski moved to approve this petition with the conditions that UI shall notify Council staff in advance of any construction work that would occur outside normal working hours, i.e. 7:00 a.m. to 5:00 p.m. Monday through Friday and that UI shall use best management practices for its distribution work. The motion was seconded by Mr. Murphy. The motion passed unanimously.

PETITION NO. 884 - The Connecticut Light and Power Company petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed removal of an out-of-service transmission line segment between Portland Substation and Ames Junction in the Town of Portland, Connecticut. Decision.

Mr. Golembiewski moved to approve this petition, seconded by Mr. Murphy. The motion passed unanimously.

TS-METROPCS-152-090107 – MetroPCS request for an order to approve tower sharing at an existing telecommunications facility located at 53 Dayton Road, Waterford, Connecticut.

Mr. Murphy moved to approve this application for tower sharing, seconded by Mr. Lynch. The motion passed unanimously.

TS-POCKET-132-090108 – Youghiogheny Communications-Northeast, LLC d/b/a Pocket Communications request for an order to approve tower sharing at an existing telecommunications facility located at 90 Brookfield Street, South Windsor, Connecticut.

Mr. Murphy moved to approve this application for tower sharing with the following conditions:

- The tower shall be modified per the drawings dated October 24, 2008 and sealed by E. Mark Malouf, P.E. prior to the antenna installation;
- A post-construction tower rating of not more than 100 percent shall be achieved; and
- A signed letter from a Professional Engineer shall be submitted to the Council to certify that the modifications have been properly completed and a post-construction tower rating of not more than 100 percent has been achieved.

Dr. Bell seconded the motion. The motion passed unanimously.

TS-METROPCS-137-090203 – MetroPCS request for an order to approve tower sharing at an existing telecommunications facility located at 37-55 Taugwank Spur Road, Stonington, Connecticut.

Mr. Murphy moved to approve this application for tower sharing with the following conditions:

- The coax shall be installed per page 3 of the structural analysis report October 31, 2008 and sealed by Christopher Michael Murphy, P.E.; and
- The Council shall be notified in writing that the coax was installed as specified.

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

TS-METROPCS-106-090206 – MetroPCS request for an order to approve tower sharing at an existing telecommunications facility located at 77 Springbrook Road, Old Saybrook, Connecticut.

Dr. Bell moved to approve this application for tower sharing, seconded by Mr. Lynch. The motion passed unanimously.

Administrative Matters

Chairman Caruso announced that the next energy/telecommunications meeting is scheduled for Tuesday, March 3, 2009, at 2:00 p.m., in Hearing Room One. Other calendar dates were also discussed.

Mr. Phelps reminded the Council Members of the Docket 272 Ribbon Cutting Ceremony that was to be held the following morning.

Mr. Phelps discussed the outcome of his trip to Washington, D.C. to attend the NARUC Winter Meetings.

Adjournment.

Chairman Caruso adjourned the meeting at 3:20 p.m.

Respectfully submitted,

Daniel F. Caruso
Chairman

DFC/cm