

## **APPENDIX 7: COMPARISON OF SITING BOARD STAFFING – CT, NH, RI, VT**

There are more similarities than differences in staffing across New England siting boards. All siting boards can retain staff and have at least one staff member who acts as an administrator or executive director for the board. Also, siting boards typically have the authority to retain experts or consultants to assist in the evaluation process. Below are the specific authorities for Connecticut, New Hampshire, Rhode Island, and Vermont.

### **Connecticut**

In Connecticut, the CSC can employ and direct such staff as may be necessary to carry out their functions and those employees should be able to provide expertise in engineering and financial analysis.<sup>49</sup> Additionally, the chairperson of the CSC, with the consent of five or more other members of the CSC, may appoint an executive director, who would be the chief administrative officer of the Connecticut Siting Council. The executive director is exempt from classified service.<sup>50</sup>

After receipt of an application for a Certificate, the CSC can also employ one or more independent consultants to study and measure the consequences of the proposed facility on the environment.<sup>51</sup> The CSC directs the consultant or consultants to study any matter that the CSC deems important to an adequate appraisal of the application. Any such study and any report issued as a result thereof is part of the record of the proceeding.<sup>52</sup>

### **New Hampshire**

In New Hampshire, within the public utilities commission is the position of “administrator” who is an unclassified state employee. In the alternative, the position may be filled by an independent contractor. The administrator is hired by and under the supervision of the chairperson of the public utilities commission and performs duties for the public utilities commission and the site evaluation committee as directed by the chairperson of the public utilities commission, with site evaluation duties having a higher priority. To the extent the administrator performs duties for the site evaluation committee, such duties are funded by the site evaluation committee fund.<sup>53</sup>

The Site Evaluation Committee can delegate to the administrator (or such state agency or official as it deems appropriate) the authority to specify the use of any technique, methodology, practice or procedure approved by the committee within a certificate or the authority to specify minor changes in route alignment to the extent that such changes are authorized by the certificate for those portions of a proposed electric transmission line or energy transmission pipeline for which

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<sup>49</sup> [Conn. Gen. Stat. Sec. 16-50j\(g\) and \(h\)](#) amended by [P.A. 24-144](#), and [Conn. Gen. Stat. Sec. 16-50v\(f\)](#) .

<sup>50</sup> [Conn. Gen. Stat. Sec. 16-50j\(h\)](#) amended by [P.A. 24-144](#).

<sup>51</sup> [Conn. Gen. Stat. Sec. 16-50n\(e\)](#) amended by [P.A. 24-144](#) and [Conn. Gen. Stat. Sec. 16-50v\(f\)](#).

<sup>52</sup> [Conn. Gen. Stat. Sec. 16-50n\(e\)](#) amended by [P.A. 24-144](#).

<sup>53</sup> [N.H. Rev. Stat. Sec.162-H:3-a](#).

information was unavailable due to conditions which could not have been reasonably anticipated prior to the issuance of the certificate.<sup>54</sup>

The administrator, or chairperson, in the absence of an administrator, with committee approval, may engage additional technical, legal, or administrative support to fulfill the functions of the committee, as necessary. For example, the chairperson or the administrator can appoint counsel to conduct all prehearing conferences, if such appointment would promote the orderly conduct of the proceeding.<sup>55</sup>

The site evaluation committee can also employ a consultant or consultants, legal counsel and other staff in furtherance of its duties, the cost of which is borne by the applicant or certificate holder in such amount as may be approved by the committee. The site evaluation committee is further authorized to assess the applicant or certificate holder for all travel and related expenses associated with the processing of an application or other proceedings under this chapter.<sup>56</sup>

## Rhode Island

In Rhode Island, the Board selects a coordinator who is responsible for the publication and distribution of all official minutes, reports, and documents and serves as the director of the board staff. The coordinator, under the direction of the chairperson, coordinates and expedites the work of various agencies that provide reports to the EFSB.<sup>57</sup> The board may engage any consultants or expert witnesses that it deems necessary to implement its statutory responsibilities; provided, however, that to the maximum extent possible, board staff should be drawn from existing state agencies.<sup>58</sup> The board can also designate officials or staff from any state agency as its agents for the purposes of investigating complaints, performing routine maintenance and issuing written cease and desist orders.<sup>59</sup>

## Vermont

In Vermont, where the siting is done by the Department of Public Utilities, prior to the application being filed, the applicant must notify the municipal or regional planning commission of the project. The municipal or regional planning commission can, thereafter, request that the Department of Public Service exercise its authority to retain experts and other personnel to review the proposed facility. The Department of Public Service may commence retention of these personnel once the petitioner has submitted proposed plans.<sup>60</sup>

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<sup>54</sup> [N.H. Rev. Stat. Sec. 162-H:4 \(III\)](#) and Site Evaluation Committee Rules [Site 103.04](#).

<sup>55</sup> [N.H. Rev. Stat. Sec. 162-H:3-a](#).

<sup>56</sup> [N.H. Rev. Stat. 162-H:10](#).

<sup>57</sup> [R.I. Gen. Laws Ann. Sec. 42-98-5\(c\)](#).

<sup>58</sup> [R.I. Gen. Laws Ann. Sec. 42-98-5\(c\)](#).

<sup>59</sup> [R.I. Gen. Laws Ann. Sec. 42-98-16\(d\)](#).

<sup>60</sup> [30 V.S.A. Sec. 248 \(f\)\(1\)\(B\)](#).