

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

**NORTHEAST UTILITIES SERVICE
COMPANY APPLICATION TO THE
CONNECTICUT SITING COUNCIL
FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY
AND PUBLIC NEED ("CERTIFICATE")
FOR THE CONSTRUCTION OF A
NEW 345-KV ELECTRIC TRANSMISSION
LINE FACILITY AND ASSOCIATED
FACILITIES BETWEEN SCOVILL
ROCK SWITCHING STATION IN
MIDDLETOWN AND NORWALK
SUBSTATION IN NORWALK, INCLUDING
THE RECONSTRUCTION OF PORTIONS
OF EXISTING 115-KV AND 345-KV
ELECTRIC TRANSMISSION LINES,
THE CONSTRUCTION OF 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**

DOCKET NO. 272

MAY 10, 2004

**MOTION OF THE TOWN OF WOODBRIDGE AND CITY OF MILFORD
TO ADD ADDITIONAL HEARING DATES**

The Town of Woodbridge ("Woodbridge") and the City of Milford ("Milford"; collectively referred to as the "Two Towns") respectfully request that the Connecticut Siting Council (the "Council"): (1) permit the Two Towns to file certain testimony identifying potential alternatives to the Applicants' proposed route in each town based on independent load flow analyses (the "Woodbridge Testimony" and "Milford Testimony") and modeling to be done by GE Power

Systems ("GE") for Woodbridge and Milford on July 28, 2004; and (2) schedule additional hearings on the subject matter of the Woodbridge and Milford Testimonies thereafter, presumably in early August, 2004. The requested relief is necessitated by events outside of the Two Towns' control and is essential to their rights of participation in this proceeding. First, as will be explained below, the need for the relief requested herein is in no way the Two Towns' fault or responsibility, or the result of their failure to pursue discovery in an expeditious manner. Second, the Two Towns' consultants cannot complete their analyses of possible alternatives to the Applicants' proposed route and the Two Towns' identification of feasible alternative routes, without the information that will be provided in the GE studies.

Factual Background

1. The GE studies

Contemporaneously with the filing of this Motion, sixteen (16) municipalities have joined in filing a Motion to Reschedule Certain Filing Dates and to Add Additional Hearing Dates (the "Towns' Motion"). As explained in detail in the Towns' Motion, these new dates are necessary because the Towns were prevented from accessing the analyses and models of GE Power Systems ("GE") by the Applicants. Finally, after months of protracted negotiations, the Towns reached an agreement with the Applicants whereby GE would run studies for the Towns, but the Towns' consultants would not be permitted actual access to the GE models. On April 26, 2004, the Applicants agreed to fund two studies

on the Towns' behalf. The Towns' consultants immediately began to work with GE to provide the information needed to run the two studies.

As explained in the Towns' Motion, even after this agreement was reached, GE still has not begun work on the Two Towns' studies and is not expected to do so until May 12, 2004. GE has said that they will need thirty-five (35) days to complete that work. This suggests that the Towns' consultants will receive the results of the GE studies on or about June 16, 2004.

2. Town-Specific Studies

GE is also being commissioned to perform work for the Town of Woodbridge and the City of Milford on studies that are specific to those municipalities. GE is expected to finish its work on the two studies commissioned by the 16 Towns on or about June 16, 2004, and it will not begin work on the studies for Woodbridge and Milford until after it has fully completed its work for the 16 Towns. Once it begins its work for Woodbridge and Milford, GE has represented that it will complete those two studies within 30 days, i.e., on or about July 16, 2004.

After the GE studies are completed, the Two Towns' consultants will need time to review the study reports, integrate the results with their own studies, and then prepare and file the Woodbridge and Milford Testimonies. Assuming that GE meets its obligations to the 16 Towns, and then to the Two Towns, Woodbridge and Milford would be able to file testimony of its energy consultants by July 28, 2004. Both towns would then be available to present their direct case

to the Siting Council at such time as the Council schedules hearing dates, presumably in early August, 2004.

Woodbridge and Milford emphasize that they are not requesting any delay of the hearings currently scheduled in this proceeding during June, 2004. It is the position of both towns that those hearings should go on as scheduled; Woodbridge and Milford will be prepared to cross examine but cannot put on a direct case on the Town-specific studies that are being commissioned. It is anticipated that the Woodbridge and Milford Testimonies and subsequent hearings will address alternatives to the Applicants' proposal.

Requested Relief

Woodbridge and Milford are parties to this proceeding. Conn. Gen. Stat. § 16-50o(a) provides in pertinent part that “[e]very party. . .shall have the right to present such oral or documentary evidence. . .as may be required for a full and true disclosure of the facts.” (Emphasis added). The aforesaid events, as more particularly described in the Towns' Motion, (which were not caused by Woodbridge or Milford) will deny the Two Towns their statutory right to present their case unless the Council grants the relief requested *infra*. More fundamentally, the failure of the Council to grant the requested relief will deny the Two Towns a “full and true disclosure of the facts,” to which it is entitled as a municipality that may bear the burden of the Facility under review in this proceeding.

For the foregoing reasons, the Town of Woodbridge and the City of Milford respectfully request that the Council:

- (i) permit Woodbridge and Milford to file the Woodbridge and Milford Testimon(ies) on July 28, 2004; and
- (ii) schedule additional hearings on the subject matter of the Woodbridge and Milford Testimonies thereafter, presumably in early August 2004.

Respectfully submitted,

TOWN OF WOODBRIDGE

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THE CITY OF MILFORD

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CERTIFICATION

This is to certify that on this 10th day of May, 2004, a copy of the foregoing was sent via electronic and first class mail to:

<p>Applicant: Northeast Utilities Service Company</p> <p>Anthony M. Fitzgerald, Esq. Brian T. Henebry, Esq. Carmody & Torrance LLP 50 Leavenworth Street P.O. Box 1110 Waterbury, CT 06721-1110 (203) 573-1200 (203) 575-2600 – fax</p>	<p>Applicant: The United Illuminating Company</p> <p>Linda L. Randell, Esq. Bruce L. McDermott, Esq. Wiggin & Dana LLP One Century Tower New Haven, CT 06508-1832 (203) 498-4322 (203) 782-2889 – fax</p>	<p>Intervenor: Norwalk Association of Silvermine Homeowners</p> <p>Norwalk Associates of Silvermine Homeowners c/o Leigh Grant 99 Comstock Hill Road Norwalk, CT 06850 (203) 846-4577 (203) 846-4577</p>
<p>Party:</p> <p>Honorable Robert W. Megna State Representative – 97th District 40 Foxon Hill Road, #54 New Haven, CT 06513 (203) 240-8585 (800) 842-8267</p>	<p>Intervenor:</p> <p>Honorable Al Adinolfi State Representative 103rd District 235 Sorghum Mill Drive Cheshire, CT 06410 (203) 272-9701 (800) 842-1423 (860) 240-0207 - fax</p>	<p>Party: Town of Middlefield</p> <p>Eric Knapp, Esq. Branse & Willis, LLC 41-C New London Turnpike Glen Lochen East Glastonbury, CT 06033-2038 (860) 659-3735 (860) 659-9368 - fax</p>
<p>Party: Town of Wallingford</p> <p>Peter G. Boucher, Esq. Halloran & Sage, LLP 225 Asylum Street Hartford, CT 06103 (860) 297-4650 (860) 548-0006 - fax</p>	<p>Town of Wallingford cc:</p> <p>Janis M. Small, Esq. Town Attorney Wallingford Town Hall 45 South Main Street Wallingford, CT 06492 (203) 294-2140 (203) 294-2112 - fax</p>	<p>Party: City of Norwalk:</p> <p>Louis S. Ciccarello Corporation Counsel P.O. Box 798 Norwalk, CT 06856-0798 (203) 854-7750 (203) 854-7901 - fax</p>
<p>Party: Town of Durham:</p> <p>Peter G. Boucher, Esq. Halloran & Sage, LLP 225 Asylum Street Hartford, CT 06103 (860) 297-4650 (860) 548-0006 - fax</p>	<p>Town of Durham cc:</p> <p>Maryann Boord First Selectwoman Durham Town Hall 30 Townhouse Road Durham, CT 06422 (860) 349-3625 (860) 349-8391 - fax</p>	<p>Party: Town of Woodbridge</p> <p>David A. Ball, Esq. Cohen and Wolf, P.C. 1115 Broad Street Bridgeport, CT 06604 (203) 337-4134 (203) 576-8504 – fax</p>

<p>Party: Town of Westport</p> <p>Town of Westport c/o Ira W. Bloom, Esq. 27 Imperial Avenue Westport, CT 06680 (203) 227-9545 (203) 227-2443 – fax</p>	<p>Intervenor:</p> <p>Honorable Mary G. Fritz State Representative – 90th District 43 Grove Street Yalesville, CT 06492 (203) 289-1169 (800) 842-1902 (860) 240-0206 - fax</p>	<p>Intervenor:</p> <p>Honorable Raymond Kalinowski State Representative – 100th District P.O. Box 391 Durham, CT 06422 (800) 842-1423 (860) 240-0207 - fax</p>
<p>Party: City of Meriden</p> <p>Deborah L. Moore, Esq. Legal Department City Hall 142 East Main Street Meriden, CT 06450 (203) 630-4045 (203) 630-7907 - fax</p>	<p>Party: Atty. General Richard Blumenthal</p> <p>Michael C. Wertheimer Assistant Attorney General Attorney General's Office 10 Franklin Square New Britain, CT 06051 (860) 827-2603 (860) 827-2983</p>	<p>Party: Office of Consumer Counsel</p> <p>Bruce C. Johnson Litigation Attorney Office of Consumer Counsel Ten Franklin Square New Britain, CT 06051 (860) 827-2900 (860) 827-2929 – fax</p>
<p>Party: City of Bridgeport</p> <p>Melanie J. Howlett Associate City Attorney City of Bridgeport 999 Broad Street Bridgeport, Connecticut 06604-4328 (203) 576-7647 (203) 576-8252 – fax</p>	<p>Party: Communities for Responsible Energy:</p> <p>Trish Bradley, President Ed Schwartz, Treasurer Communities for Responsible Energy, Phase II 45 Ironwood Lane Durham, CT 06422 (860) 349-9137</p>	<p>Intervenor: ISO New England Inc.</p> <p>Anthony M. Macleod, Esq. Whitman Breed Abbott & Morgan LLC 100 Field Point Road Greenwich, CT 06830 (203) 869-3800 (203) 869-1951 – fax</p>
<p>Intervenor:</p> <p>Honorable Themis Klarides State Representative – 114th District 23 East Court Derby, CT 06418 (203) 735-5911 (800) 842-1423 (860) 240-0207 – fax</p>	<p>Party: The Woodlands Coalition for Responsible Energy</p> <p>Lawrence J. Golden, Esq. Pullman & Comley, LLC 90 State House Square Hartford, CT 06103-3702 (860) 424-4346 (860) 424-4370</p>	<p>Party: PSEG Power Connecticut LLC</p> <p>David A. Reif Jane K. Warren Joel B. Casey McCarter & English, LLP CityPlace I Hartford, CT 06103 (860) 275-6700 (860) 724-3397 – fax</p>

<p>Party: Department of Transportation</p> <p>Charles H. Walsh Assistant Attorney General 55 Elm St., P.O. Box 120 Hartford, CT 06141-0120 (860) 808-5090 (860) 808-5384 - fax</p>	<p>Party: Town of Fairfield</p> <p>Honorable Kenneth A. Flatto First Selectman Independence Hall 725 Old Post Road Fairfield, CT 06824 (203) 256-3030 (203) 256-3008 – fax</p>	<p>Party: South Central Connecticut Water Authority</p> <p>Andrew W. Lord Murtha Cullina LLP CityPlace I, 29th Floor 185 Asylum Street Hartford, Connecticut 06103-3469 (860) 240-6180 (860) 240-6150</p>
<p>Party: Town of Wilton</p> <p>Monte E. Frank, Esq. Cohen and Wolf P.C. 158 Deer Hill Avenue Danbury, Connecticut 06810 (203) 337-4134 (203) 576-8504 – fax</p>	<p>Party: Town of Weston</p> <p>David A. Ball, Esq. Cohen and Wolf, P.C. 1115 Broad Street Bridgeport, Connecticut 06604 (203) 337-4134 (203) 576-8504 - fax</p>	<p>Party: Town of Cheshire</p> <p>Richard J. Burturla, Esq. Town Attorney Berchem, Moses & Devlin, PC 75 Broad Street Milford, CT 06460 (203) 782-1200 (203) 878-4912 – fax</p>
<p>Party: Town of Orange</p> <p>Mitchell R. Goldblatt First Selectman Town of Orange 617 Orange Center Road Orange, Connecticut 06477-2499 (203) 891-2122 ext. 737 (203) 891-2185 - fax</p>	<p>Intervenor: Connecticut Business & Industry Associate (CBIA)</p> <p>Robert E. Earley Connecticut Business & Industry Assoc. 350 Church Street Hartford, CT 06103-1106 (860) 244-1900 (860) 278-8562 - fax</p>	<p>Party: Town of Bethany</p> <p>Honorable Derrylyn Gorski First Selectwoman Bethany Town Hall 40 Peck Road Bethany, CT 06524-3378 (203) 393-2100 ext. 100</p>
<p>Party: Town of Hamden</p> <p>Joaquina Borges King Assistant Town Attorney Hamden Government Center 2750 Dixwell Avenue Hamden, CT 06518 (203) 287-7050 (203) 287-7051 - fax</p>	<p>Party: City of Middletown</p> <p>Timothy P. Lynch Deputy City Attorney City Attorney's Office 245 deKoven Drive P.O. Box 1300 Middletown, CT 06457-1300 (860) 344-3422 (860) 344-3521</p>	<p>Party: Town of North Haven</p> <p>David J. Monz Updike, Kelly & Spellacy, P.C. One Century Tower 265 Church Street New Haven, CT 06510 (203) 786-8303 (203) 772-2037 – fax</p>

<p>Party: Town of Easton</p> <p>William J. Kupinse, Jr. First Selectman Easton Town Hall 225 Center Road P.O. Box 61 Easton, CT 06612 (203) 268-6291 (203) 268-4928 – fax</p>	<p>Intervenor:</p> <p>Honorable William A. Aniskovich State Senate – 12th District 15 Grove Avenue Branford, CT 06405 (860) 240-0596</p>	<p>Intervenor: First District Water Department</p> <p>Franco Chieffalo General Supervisor First District Water Department P.O. Box 27 Norwalk, CT 06852 (230) 847-7387 (203) 846-3482 – fax</p>
<p>Party: Woodbridge Jewish Organizations</p> <p>David R. Schaefer, Esq. Brenner Saltzman & Wallman, LLP 271 Whitney Avenue New Haven, CT 06511 (203) 772-2600 (203) 562-2098 - fax</p>	<p>Intervenor:</p> <p>Senator Joseph J. Crisco, Jr. 17th District State Capitol Hartford, CT 06106-1591 (860) 240-0189 (860) 240-0027 – fax</p>	<p>Intervenor:</p> <p>Honorable Leonard A. Fasano State Senator – 34th District 7 Sycamore Lane North Haven, CT 06473 (203) 234-2371</p>