

CARMODY & TORRANCE LLP

Attorneys at Law

Brian T. Henebry

50 Leavenworth Street
Post Office Box 1110
Waterbury, Connecticut
06721-1110
Telephone: 203 573-1200
Facsimile: 203 575-2600
www.carmodylaw.com

Direct: 203-575-2601

bhenebry@carmodylaw.com

May 26, 2004

Ms. Pamela Katz
Chairman
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06501

Re: Docket 272 - The Connecticut Light and Power Company and The United Illuminating Company Application for a 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

Dear Ms. Katz:

The City of Milford requested that The Connecticut Light and Power Company ("CL&P") reconsider the use of a parcel located on the west side of Oronoque Road for its proposed East Devon Substation. (See attached copy of letter dated April 16, 2004 from Mayor James Richetelli, Jr.) The subject parcel is owned by Blackite Corporation ("Blackite"). During the April hearings in this docket, the Siting Council asked CL&P to keep the Council informed regarding the status of any subsequent discussions about the use of the Blackite parcel for the East Devon Substation.

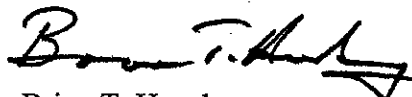
As a condition for exploring the relocation of the site of the East Devon Substation to the Blackite parcel at this late date, CL&P must have the ability to perform Phase I and Phase II environmental testing and other testing at the property in order to evaluate the suitability of this site and to identify any potential environmental issues or other concerns. Therefore, CL&P prepared forms for execution by Blackite to allow testing on the site ("the Access Documents"), which were forwarded to Blackite shortly after the April hearings.

I received the enclosed letter dated April 30, 2004 from Julie Donaldson Kohler, counsel for the City of Milford, indicating that the owner of the Blackite parcel would not agree to sign the Access Documents without modifications, including a requirement that CL&P execute an agreement to purchase the Blackite parcel as a condition for obtaining the right to conduct Phase II testing on the parcel. CL&P has had subsequent discussions with Roderick C. McNeil, III of Blackite regarding the execution of the Access Documents. Blackite will not agree to execute the Access Documents without receiving some form of commitment from CL&P regarding the purchase of the parcel.

CARMODY & TORRANCE LLP
Ms. Pamela Katz
May 26, 2004
Page 2

I am writing to inform the Council that CL&P cannot consider relocating the proposed site for the East Devon Substation to the Blackite parcel without performing the testing authorized by the Access Documents. Therefore, CL&P does not intend to proceed with any further discussions with Blackite's representatives regarding this parcel.

Very truly yours,



Brian T. Henebry

BTH/da
Enclosures

cc: Service List
Salvatore Giuliano
Roderick C. McNeil, III
Leonard Blum, Esq.

SERVICE LIST

Julie Donaldson Kohler, Esq.
Hurwitz, Sagarin & Slossberg, LLC
147 North Broad Street
Milford, CT 06460
JKohler@hss-law.com

Representative Al Adinolfi
103rd District
Legislative Office Building
Hartford, CT 06106-1591
Alfred.adinolfi@housegop.state.ct.us

Linda L. Randell, Esq.
Bruce L. McDermott, Esq.
Wiggin & Dana LLP
One Century Tower
New Haven, CT 06508-1832
lrandell@wiggin.com
bmcdermott@wiggin.com

Town of Middlefield
c/o Eric Knapp, Esq
Branse & Willis, LLC
41-C New London Turnpike
Glastonbury, CT 06033
eknapp@bransewillis.com

Peter G. Boucher, Esq.
Halloran & Sage, LLP
One Goodwin Square
225 Asylum Street
Hartford, CT 06103
boucher@halloran-sage.com

Louis S. Ciccarello, Esq.
Corporation Counsel
P.O. Box 798
Norwalk, CT 06856-0798
lciccarello@norwalkct.org

Representative Mary G. Fritz
90th District
43 Grove Street
Yalesville, CT 06492
mary.fritz@po.state.ct.us

Town of Westport
c/o Ira W. Bloom, Esq.
27 Imperial Avenue
Westport, CT 06880
ibloom@wsdb.com

Lawrence J. Golden, Esq.
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103
lgolden@pullcom.com

Representative Robert W. Megna
97th District
40 Foxon Hill Road, #54
New Haven, CT 06513
Robert.Megna@po.state.ct.us

Deborah L. Moore, Esq.
Legal Department
City Hall
142 East Main Street
Meriden, CT 06450
dmoore@ci.meriden.ct.us

Michael C. Wertheimer
Assistant Attorney General
Attorney General's Office
10 Franklin Square
New Britain, CT 06051
Michael.wertheimer@po.state.ct.us

Representative Raymond Kalinowski
100th District
P.O. Box 391
Durham, CT 06422
Raymond.kalinowski@housegop.state.ct.us

Melanie J. Howlett
Associate City Attorney
City of Bridgeport
999 Broad Street
Bridgeport, CT 06604-4328
Howlem0@ci.bridgeport.ct.us

Bruce C. Johnson
Litigation Attorney
Office of Consumer Counsel
Ten Franklin Square
New Britain, CT 06051
bruce.johnson@po.state.ct.us

Representative Themis Klarides
114th District
23 East Court
Derby, CT 06418
Themis.klarides@housegop.state.ct.us

Anthony M. Macleod, Esq.
Whitman, Breed, Abbott & Morgan LLC
100 Field Point Road
Greenwich, CT 06830
amacleod@wbamct.com

Trish Bradley, President
Ed Schwartz, Treasurer
Communities for Responsible Energy,
Phase II
45 Ironwood Lane
Durham, CT 06422
thebradco@aol.com

Honorable Kenneth Flatto
First Selectman
Independence Hall
725 Old Post Road
Fairfield, CT 06824
firstselectmanflatto@town.fairfield.ct.us

Mitchell R. Goldblatt
First Selectman
Town of Orange
617 Orange Center Road
Orange, CT 06477-2499
Mitchgoldblatt@aol.com

Monte E. Frank, Esq.
Cohen and Wolf, P.C.
158 Deer Hill Avenue
Danbury, CT 06810
mfrank@cohenandwolf.com

David A. Ball, Esq.
Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604
dball@cohenandwolf.com

Andrew W. Lord, Esq.
Murtha, Cullina LLP
CityPlace I, 29th Floor
185 Asylum Street
Hartford, CT 06103-3469

Janis M. Small, Esq.
Town Attorney
Wallingford Town Hall
45 South Main Street
Wallingford, CT 06492
wfdlaw@snet.net

Maryann Boord
First Selectwoman
Durham Town Hall
30 Townhouse Road
Durham, CT 06422
mboord@townofdurhamct.org

Robert E. Earley
Connecticut Business & Industry Assoc.
350 Church Street
Hartford, CT 06103-1106
earlevr@cbia.com

Richard J. Buturla, Esq.
Berchem, Moses & Devlin, P.C.
75 Broad Street
Milford, CT 06460
rbuturla@bmdlaw.com
mmilone@cheshirect.org

Joaquina Borges King
Assistant Town Attorney
Hamden Government Center
2750 Dixwell Avenue
Hamden, CT 06518
jborgesking@hamden.com

Honorable Derrylyn Gorski
First Selectman
Bethany Town Hall
40 Peck Road
Bethany, CT 06524-3378
Dgorski@Bethany-CT.com

David J. Monz
Updike, Kelly & Spellacy, P.C.
One Century Tower
265 Church Street
New Haven, CT 06510
dmonz@uks.com

Senator Joseph J. Crisco, Jr.
17th District
Legislative Office Building
Room 2800
Hartford, CT 06106
Crisco@senatedems.state.ct.us

David A. Reif
Jane K. Warren
Joel B. Casey
McCarter & English, LLP
Cityplace I
Hartford, CT 06103
dreif@mccarter.com

William J. Kupinse, Jr.
First Selectman
Easton Town Hall
225 Center Road
P.O. Box 61
Easton, CT 06612
wkupinse@eastonct.org

David R. Schaefer, Esq.
Brenner Saltzman & Wallman LLP
271 Whitney Avenue
New Haven, CT 06511
dschaefer@bswlaw.com

Charles H. Walsh, Esq.
Eileen M. Meskill, Esq.
55 Elm Street
P.O. Box 120
Hartford, CT 06141-0120
charles.walsh@po.state.ct.us
eileen.meskill@po.state.ct.us

Timothy P. Lynch
Deputy City Attorney
City Attorney's Office
245 deKoven Drive
P.O. Box 1300
Middletown, CT 06457-1300
timothy.lynch@cityofmiddletown.com

Honorable William A. Aniskovich
12th District
15 Grove Avenue
Branford, CT 06405
William.A.Aniskovich@po.state.ct.us

Mr. Franco Chieffalo
General Supervisor
First District Water Department
P.O. Box 27
Norwalk, CT 06852
fchieffalo@norwalkfdwd.org

Senator Leonard A. Fasano
34th District
Seven Sycamore Lane
North Haven, CT 06473

*Office of the Mayor
City Hall
110 River Street
Milford, CT 06460
203 783-3201
fax 203 783-3329*

April 16, 2004

Via E-mail and First Class Mail

Pamela B. Katz, Chairman
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: Docket No. 272
Application to the Connecticut Siting Council for a Certificate of Environmental Compatibility and Public Need for a 345 kV Electric Transmission Line Facility and Associated Facilities between Scovill Rock Switching Station in Middletown and Norwalk Substation in Norwalk East Devon Substation

Dear Chairman Katz:

On December 2, 2003, the Milford Planning and Zoning Commission ("Milford Commission"), on behalf of the City of Milford ("Milford"), reviewed the proposal of The Connecticut Light & Power Company and The United Illuminating Company (collectively the "Companies") to locate the proposed East Devon substation ("Substation") on six parcels of property owned by Jordan Realty, LLC identified on the Milford Tax Assessor's Map 62, Block 936, Lots 16-16E.

The Milford Commission issued a conditional approval for the location of the substation at this site. Shortly thereafter, Milford received notice from the landowner that no agreement had been reached with the Companies for the acquisition or use of the parcels, and in fact Jordan Realty was not interested in the Substation being located on these parcels under any circumstances. James R. Beard, on behalf of Jordan Realty sent a letter to the Connecticut Siting Council ("Council") dated

December 3, 2003 that confirmed this position. A copy of that letter is appended hereto.

Mr. Beard has, as recently as April 15, 2004, contacted Milford and reiterated his objection to the location of the Substation on this property. While Milford does not object to the general location of the Substation in this zone designated limited industrial (requiring conversion to industrial), it cannot recommend that the Companies locate the Substation on a parcel of land owned by a resident that objects to such a use and will likely lose the property through the Companies' exercise of their statutory right of eminent domain.

Milford would encourage the Companies to locate the East Devon Substation on the property originally considered prior to the filing of the Technical Report. This approximately 17-acre property is located at 1183 Oronoque Road and is owned by The Blackite Corp. Roderick McNeil, representing The Blackite Corp. has informed Milford that it does not object to the location of the Substation on this property and further advises that he and the Companies had continued discussions about their use of this property through December, 2003.

Please contact me if you have any questions.

Sincerely,

James L. Richetelli, Jr.
Mayor

cc: Service List
Marilyn J. Lipton, City Attorney
James Beard
Robert Beard
The Blackite Corp, c/o Roderick McNeil
Julie Donaldson Kohler, Esq.

HURWITZ & SAGARIN LLC

April 30, 2004

Via Electronic and First Class Mail

Brian T. Henebry, Esq.
Carmody & Torrance LLP
50 Leavenworth St.
PO Box 1110
Waterbury, CT 06721-1110

RE: Docket No. 272: Application to the Connecticut Siting Council for a Certificate of Environmental Compatibility and Public Need for a 345 kV Electric Transmission Line Facility and Associated Facilities between Scovill Rock Switching Station in Middletown and Norwalk Substation in Norwalk
Location of East Devon Substation

Dear Attorney Henebry,

After receiving the Survey and Due Diligence Permit and Lessee's Consent documents ("Access Documents") provided me on April 22, 2004 those documents were forwarded to Roderick McNeil, representative of the Blackite Corporation ("Blackite"). Mr. McNeil reviewed the documents and advised me that Blackite is willing to grant the Applicants the right to enter the Oronoque Road, Milford property for the purpose of conducting a Phase I site assessment. He seeks modest revisions to the Access Documents, which revisions I believe the Applicants will not find objectionable (i.e. the presence of a Blackite representative, copy of the Phase I site assessment report, etc.).

Mr. McNeil will then allow the Applicants to conduct a Phase II site assessment once there is an agreement for the acquisition of the property. He informs me that the parties have negotiated most, if not all of the terms for the acquisition of this property over the past eighteen months. He also understands that any such agreement would contain contingencies as to the results of the environmental testing.

Attorney Leonard Blum of Kleban & Samor, PC will be handling the revisions to the Access Documents on behalf of Blackite. I have included his contact information below. Please contact him to coordinate the finalization and execution of these documents.

Yours Truly,

 dw
JULIE DONALDSON KOHLER

cc: Mayor James L. Richetelli, Jr.
Marilyn J. Lipton, City Attorney
The Blackite Corp, c/o Roderick McNeil
The Blackite Corp, c/o Leonard Blum, Esq.
Kleban & Samor, PC
2425 Post Road - PO Box 763
Southport, CT 06490
(203) 255-4646

James Beard, Jordan Realty