

DAVID A. BALL

Please Reply To Bridgeport
E-Mail: dball@cohenandwolf.com

March 1, 2017

VIA ELECTRONIC AND OVERNIGHT MAIL

Mr. Robert Stein, Chairman
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

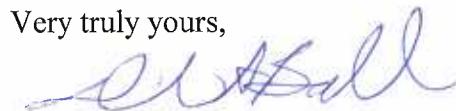
Re: PETITION NO. 1287 - Eversource Energy petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed Redding to Wilton Project that includes structure and conductor replacements of approximately 5 miles of its existing No. 1470 115-kilovolt electric transmission line within existing Eversource electric transmission line right of way between the existing Peaceable Station located at 520 Peaceable Street in Redding, Connecticut and the existing Wilton Substation located at 53 Old Danbury Road in Wilton, Connecticut, and related substation and transmission line structure improvements.

Dear Chairman Stein:

Enclosed please find one (1) original and fifteen (15) copies of the Town of Weston's written comments dated March 1, 2017.

Please do not hesitate to contact me if you have any questions regarding this submission.

Very truly yours,


David A. Ball

DAB/lcc
Enclosures

cc: Patricia C. Sullivan, Esq.



Incorporated 1787

Office of Town Administrator

Robert Stein, Chairman
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

Re: Petition No. 1287-Eversource Energy Petition for Declaratory Ruling that No Certificate of Environmental Compatibility and Public Need is Required for the Proposed Redding to Wilton Project

Dear Chairman Stein:

The Town of Weston ("Town") has reviewed the *Eversource Energy Petition for Declaratory Ruling that No Certificate of Environmental Compatibility and Public Need is Required for the Proposed Redding to Wilton Project* ("Petition" or "Project"). The Town, taking this opportunity to highlight issues, has the following comments.

Notice Deficiencies

In a letter dated January 31, 2017 Melanie A. Bachman, Executive Director/Staff Attorney of the Connecticut Siting Council wrote to Eversource. (See Exhibit A). Director Bachman's letter brought to Eversource's attention notice deficiencies. These deficiencies, in large part, related to lack of owner names. Director Bachman declared the Application incomplete due to the notice deficiencies.

The Town requests that the Siting Council ascertain that all required notices have been given. As discussed in the Town's meeting with Eversource, the "Dear Neighbor" letter (See Exhibit B) was either not received or not recognized by the Town as a legal notice. The letter, found at Attachment E to the Petition, does not include or refer to a specific piece of property, a property address or a property owner. When questioned at the meeting between the Town and Eversource, Eversource was unable to provide information as to the addressee of the notice to the Town and speculated that the likely address was the "Town of Weston" "Town Hall". When confronted

with the fact that there were numerous properties belonging to the Town in the general vicinity of the Project, each of which is entitled to notice, Eversource surmised that in all likelihood one notice had been sent.

Whether notice of this type is legally sufficient is a question of law. In the instant case the notice was not sufficient to inform the Town of the magnitude of the Project proposed or to give the Town notice that Eversource would be seeking easements across Town owned property. The Town would like assurances that all properties in Weston, entitled to notice, have received notice designed to give them actual notice of the Project. To the extent the Siting Council determines Eversource's notices have been deficient, as a matter of law, Eversource must be ordered to rectify the deficiencies.

Easements/Title Work

At a meeting between the Town and Eversource on February 6, 2017, Eversource made clear it would be requesting easements in connection with the Project. The Town is both a municipal location of the Project and the owner of a number of parcels in the vicinity. The Town expressed uncertainty about the ownership of the parcels adjacent to the Project and the ownership of Upper Parish Road. In order to expedite the title analysis, Eversource agreed to provide the Town with land title information about the surrounding parcels, Upper Parish Road and the parcels Eversource is requesting easements over. While Eversource provided some title information late yesterday, it indicated that the information is not complete and that it was expecting a revised report by "the end of the week". Until the complete title information is shared and analyzed, it is premature for the Town to discuss any temporary easements.

The Town made it clear that permanent easements were not an option because the area in question serves as the access point and gateway for a very large tract of Town owned property. Development of the Town owned parcels is being discussed. The land was not purchased as open space. Because easements could interfere with or foreclose options with regard to future development, the Town is opposed to any permanent easements. To the extent temporary easements are sought by Eversource, the Town needs to be provided with the specific locations and the extent of the easements requested. This information has been promised but not yet received. Accordingly, any impacts, including but not limited to environmental impacts, associated with temporary easements cannot yet be evaluated.

Access Roads/Pads

Eversource has spoken generally about access roads and the need to widen, reinforce and extend accessways and to construct gravel pads. At the February 6, 2017 meeting with Eversource the Town made clear that it has two roles in this process, as a municipality and as a property owner. The Town needs clarification as to what is proposed for Upper Parish, a private roadway in the Town of Weston. The underlying ownership of that roadway is unclear at this time. The Town needs detailed plans as to the location and magnitude of the modifications, particularly where

those adjustments are being proposed for Town owned property. It is impossible to evaluate the impact on the Town's natural resources until Eversource provides detailed plans.

Wetlands/ Conservation Review/ Sediment and Erosion Controls/Restoration of Property

The Town may refer the Project to its Conservation Commission for comment. The Town's Conservation Commission is concerned about the environmental impact on the property. The Commission has not yet had an opportunity to review the Petition and the Town reserves the right to supplement its comments on the Petition based on input from the Conservation Commission. The Town asks that Eversource be prepared to present to the Conservation Commission what environmental impact is anticipated and specifically what, if any, wetlands, watercourses or vernal pools will be impacted. The Commission will be concerned with the extent of those impacts and Eversource's plan to mitigate the impacts.

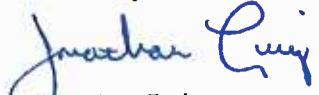
Eversource needs to provide the Town with its plans for sediment and erosion control. The Town needs an opportunity to review, analyze and comment on those plans. The Town expects Eversource to restore the property to its prepetition condition once the upgrade has been completed.

Planning and Zoning Commission/ CGS Section 8-24 Referral

Connecticut General Statute Section 8-24 requires the Town to make a referral to the Planning and Zoning Commission for a Section 8-24 report whenever the use of Town property is implicated. That referral requires the Board of Selectmen to refer the use of Town land to the Planning and Zoning Commission. If the Planning and Zoning Commission issues a negative report the matter must be referred to the Town's legislative body for a vote. Since Eversource appears to be contemplating easements over land owned by the Town, this process must be followed.

In summary, after meeting with Eversource on February 6, 2017 the Town of Weston emailed a letter with its concerns to Eversource. See copy of correspondence attached as Exhibit C. Those concerns fell into five categories: (1) Project Management; (2) Title Work/Easements; (3) Notice; (4) Installation of Telecommunications Facilities on the Eversource Towers, and (5) Time Line. While Eversource provided a response, two days ago, on February 27, 2017, there remain issues of concern as set forth in this letter, missing information and questions that have not yet been answered. See copy of Response attached as Exhibit D. The Town requests that the Siting Council require Eversource to provide specificity as to the work it intends to do in the Town, the environmental impact of that work and Eversource's proposals to mitigate the impact. Until these details are provided it would be premature to approve the Petition. Thank you for the opportunity to comment.

Sincerely,



Jonathan Luiz

Town Administrator

cc: Nina Daniel, First Selectman

Tracy Kulikowski, Land Use Director

David Ball, Cohen and Wolf, PC

Patricia Sullivan, Office of the Town Attorney

Melanie Bachman, Acting Executive Director, Connecticut Siting Council



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

www.ct.gov/csc

January 31, 2017

Kathleen M. Shanley
Manager-Transmission Siting
Eversource Energy
P.O. Box 270
Hartford, CT 06141-0270

RE: PETITION NO. 1287 - Eversource Energy petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed Redding to Wilton Project that includes structure and conductor replacements of approximately 5 miles of its existing No. 1470 115-kilovolt electric transmission line within existing Eversource electric transmission line right of way between the existing Peaceable Station located at 520 Peaceable Street in Redding, Connecticut and the existing Wilton Substation located at 53 Old Danbury Road in Wilton, Connecticut, and related substation and transmission line structure improvements.

Dear Ms. Shanley:

The Connecticut Siting Council (Council) received the petition for the above-referenced facility on January 26, 2017.

According to Section 16-50j-39a of the Regulations of Connecticut State Agencies, "no declaratory ruling shall be issued to any person until a complete petition containing all information relevant by the Council has been filed."

Staff has reviewed this petition for completeness and has identified deficiencies in notice to abutting property owners in Petition Attachment A as follows:

- Line List #s 153, 154, and 301 are lacking owner names;
- An unidentified parcel east of Line List #301 is lacking a line list # and owner name;
- Clarify notice to Line List #224 that has a name, but no line list # on sheet 7; and
- Clarify notice to Line List #225 that is on sheet 7, but no owner listed.

Pursuant to Section 16-50j-40 of the Regulations of Connecticut State Agencies, "Prior to submitting a petition for a declaratory ruling to the Council, the petitioner shall, where applicable, provide notice to each person other than the petitioner appearing as record as an owner of property which abuts the proposed primary or alternative sites of the proposed facility, each person appearing of record as an owner of the property or properties on which the primary or alternative proposed facility is to be located, and the appropriate municipal officials and government agencies. Proof of such notice shall be submitted with the petition for declaratory ruling."

Therefore, the petition is incomplete at this time. The Council recommends that the petitioner provide proof of service of a copy of the petition for a declaratory ruling on abutting property owners, as described above, on or before February 14, 2017. If additional time is needed to provide notice to the abutting property owners, please submit a written request for an extension of time prior to February 14, 2017.

Thank you for your attention to this matter. Should you have any questions, please feel free to contact me at 860-827-2951.

Sincerely,

Melanie A. Bachman

Executive Director/Staff Attorney

c: Council Members

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P.O. Box 270
Hartford, CT 06141-0270

January 25, 2017

Dear Neighbor,

As part of its ongoing commitment to deliver reliable energy and superior service to its customers, Eversource Energy ("Eversource") is submitting a petition to the Connecticut Siting Council ("CSC") to secure approval for a proposed transmission line upgrade in your area.

The upgrade, called the Redding to Wilton Project ("Project"), is designed to bring the electric supply system serving the towns in southwestern Connecticut into compliance with current national and regional reliability standards. The Project will also provide greater flexibility in operating the power grid, thereby improving Eversource's ability to more reliably meet its customer's electric needs in the area.

The proposed Project includes replacing and/or modifying the existing transmission structures and installing a new higher capacity 115-kV line for approximately five miles from Peaceable Substation located at 520 Peaceable Street in Redding to the Wilton Substation located at 53 Old Danbury Road in Wilton. A small portion of the Project will also traverse through the town of Weston.

Pending CSC approval, this upgrade work is expected to begin in early 2017. Completion of the proposed Project and restoration of any affected areas is anticipated by the end of 2017.

For more information about this Project, please call the Eversource Transmission Information Line at 1-800-793-2202, or send an email to TransmissionInfo@eversource.com.

If you would like to send comments regarding Eversource's petition to the CSC, please send them via e-mail to siting.council@ct.gov or a letter to the following address:

Melanie Bachman, Acting Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

Thank you.

Sincerely,

David L. Coleman

David L. Coleman
Manager – Transmission Projects

EXHIBIT B

From: Jonathan Luiz <JLuiz@westonct.gov>
Sent: Monday, February 13, 2017 11:55 AM
To: Tyrie, Patrice; cmead@cornerstoneenergyinc.com; Tracey.alston@eversource.com
Cc: Nina R. Daniel; Tracy Kulikowski; Ball, David A.; Sullivan, Patricia C.
Subject: Eversource/Redding to Wilton Project/Weston Portion

Patrice L. Tyrie
Senior Public Involvement Specialist
Burns McDonnell
ptyrie@burnsmcd.com

Charley Mead
Independent Consultant-Right of Way Specialist
Cornerstone Energy Services
cmead@cornerstoneenergyinc.com

Tracey Alston
Community Development Outreach
Eversource
Tracey.alston@eversource.com

Dear Patrice, Charley and Tracey,

Thank you for coming to Weston last Monday. We enjoyed meeting with you. As you indicated, the manager for the project was unable to attend the meeting to review the project with us. In light of the absence of the project manager, the Town has questions, along with requests for clarification of issues we were able to discuss. Please provide the Town of Weston with the following.

- Project management and technical details. Please include: proposed improvements for each structure; whether there will be clearing of vegetation and if so the magnitude of the clearing; whether there will be any wetland or watercourse impacts and if so what they are; proposed access and parking, including details as to Eversource's proposed construction of access roads and access pads surrounding the towers, and storage of equipment and vehicles while the project is ongoing. Also address any planned changes to Upper Parish before, during or after the project.
- Title work on any property, belonging to the Town, that you propose to cross or use in connection with the improvements proposed in Weston for the Redding to Wilton Project. This information will help the Town analyze Eversource's request to use Town property and allow the Town to request necessary approvals.
- What has been done and what will be done to notice and reach out to property owners in the vicinity of the project, including but not limited to the contact with the owners of property that is currently unimproved.

- Whether telecommunications facilities can be installed on the towers for municipal emergency services and/or for commercial purposes. If so, the process for proceeding.
- Clarification of Eversource's proposed time line.

As discussed, presuming Eversource is requesting easements from the Town, please let us know as soon as possible the nature and scope of those easements. We need this information so that any process or approvals that are necessary, such as an 8-24 hearing or a Special Town meeting, may be scheduled, and the appropriate reports or approvals requested.

Please provide the requested information by February 20, 2017.

Sincerely,

Jonathan Luiz
Weston Town Administrator

cc: Nina Daniel, First Selectman
Tracy Kulikowski, Land Use Director
David Ball, Cohen and Wolf, PC
Patricia Sullivan, Office of the Town Attorney



P.O. Box 270
Hartford, CT 06141-0270

February 27, 2017

Via E-mail

Mr. Jonathan Luiz
Town Administrator
Town of Weston
56 Norfield Road
Weston, CT 06883

Good Morning Jonathan and Representatives from the Town of Weston,

Thank you for meeting with us on Monday, February 6, 2017, to discuss Eversource's proposed transmission upgrade, called the Redding to Wilton Project (Project). This letter is in response to your questions sent to us in a follow-up email dated February 13 and to address an item that came up during the Connecticut Siting Council's (CSC) field review held on February 15.

The Project is designed to bring the electric supply system serving the towns in southwestern Connecticut into compliance with current national and regional reliability standards. Following regulatory approvals and completion of the Project, power will also be able to move more freely throughout the area to meet customer demand.

The proposed Project includes installing a new, 5-mile, higher capacity 115-kV line from Peaceable Substation Redding to the Wilton Substation in Wilton, and replacing or making modifications to the existing transmission structures. Approximately 0.8 miles of the new line would traverse through the town of Weston. There are no structure replacements proposed for Weston.

As we discussed, work in Weston includes making modifications to existing structures. The work begins at Structure (STR) 2948 (by the Redding/Weston municipal boundary) and terminates at STR 2956 (by the Weston/Wilton municipal boundary). Below is a summary of the proposed structure modifications and related work we reviewed with you as we discussed the Petition at our meeting.

Structure #	Proposed Modification
2948	Replace Cross Arm and Add X-Brace(s)
2949	Replace Cross Arm, Add Guys, Add Top Ties, and Add X-Brace(s)
2950	Replace Cross Arm, Add Guys, Add Top Ties, and Add X-Brace(s)
2951	None
2952	Replace Cross Arm, Add Guys, and Add X-Brace(s)
2953	Replace Cross Arm and Add X-Brace(s)
2954	Replace Cross Arm, Add Guys, and Add X-Brace(s)
2955	Replace Cross Arm, Add Guys, and Add X-Brace(s)
2956	Replace Cross Arm and Add X-Brace(s)

EXHIBIT D

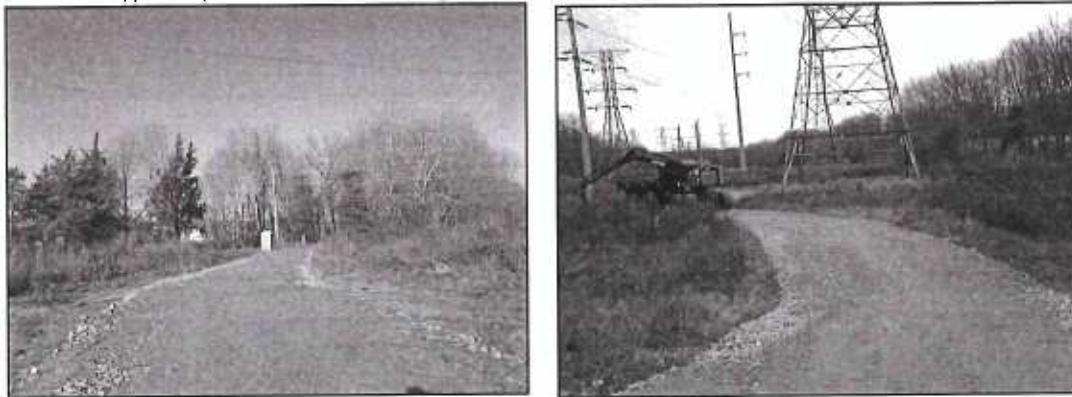
Reconductoring: The installation of the new line (conductors) will occur along the entire 0.8 miles of right-of-way (ROW) in Weston. This will require the use of pulling and tensioning equipment positioned at areas along the ROW. Helicopters may be used initially to install pulling ropes that are used for the conductor installation. The new conductors will be pulled under tension to avoid contacting the ground and other objects.

Access Roads: Prior to using or improving access roads, Eversource will confirm the existence of requisite property rights. Where rights do not exist, Eversource will take the steps necessary to obtain those rights. In the case of existing access roads, Eversource will evaluate the option of using the road as is or what improvements are needed to safely construct the project. Typically, a 16 foot wide access road is deemed safe to allow passage of the necessary equipment. If improvements are required, those improvements will consist of one, some or all of the following:

- Clearing, mowing and/or selective vegetation removal
- Road Widening
- Grading
- Placement of gravel

Where existing roads are not available and we have existing access rights, Eversource plans to construct a permanent road with a 16 foot wide travel surface within the cleared portion of the ROW. A typical road profile consists of a rock material base top dressed with a dense grade material (3 inches or less). Exceptions to this design will include areas where the access road traverses private landscaped areas or potentially sensitive environmental locations; in these situations, Eversource will typically construct temporary access using appropriate matting materials.

Photos of typical upland access road are provided below:



Work Pads: To facilitate the reconductoring work, a work pad approximately 60 feet x 60 feet will be constructed at each structure location to provide a stable work platform for the equipment needed to complete the work. The work pad may need to be graded to create a level work area. Typically, a work pad will consist of a rock pad which allows drainage. The work pad will then be top dressed with dirt/rock fines. Finally, a roller will be used to flatten and compact the pad. These work pads can typically be modified and contoured to the surrounding topography to minimize the extent of disturbance. Below is a representative photo of a gravel work pad from past projects:





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Hartford, CT 06141-0270

Clearing & Vegetation Removal in Weston:

- *For work pads:* Work pads will be located within the cleared limits of the ROW that undergo routine vegetation management. No tree removal is expected to be needed for the work pads.
- *For access roads:* The majority of the existing and planned access roads are also located within the cleared limits of the ROW. Approximately 2,195 square feet (SF) of vegetation removal is anticipated to facilitate the construction of the proposed access roads in Weston. The majority of the vegetation removal efforts are located between STR 2948 and Old Georgetown Road.

Resource Area Impacts:

1. Wetlands and Watercourses

No permanent impacts to water resource areas are associated with this Project within the Town of Weston. Where access roads intersect watercourses, the watercourse will be spanned using appropriate watercourse crossing techniques as detailed in the Eversource Best Management Practices (BMPs) for Massachusetts & Connecticut, dated September 2016. Wetland impacts in Weston are provided in the table below:

Location	Needed For:	Type	Impact (SF)
Between STR 2948 and STR 2949	Access road	Temporary (swamp mats)	286 SF
Between STR 2950 and Old Georgetown Road	Access Road	Temporary (swamp mats)	750 SF
Between Georgetown Road and STR 2952	Access Road	Temporary (swamp mats)	1116 SF
TOTAL			2,152 SF

2. Natural Diversity Database Review

Work between STR 2952 and the Weston/Wilton town line is within areas that are documented to have state-protected species. Eversource received approval from Connecticut Department of Energy and Environmental Protection based on review of the Natural Diversity Database on October 3, 2016 for work in these areas and, as recommended, will incorporate BMPs specific to the protected species.

Staging Area: At this time, a staging/laydown area for use on the Project has not been identified. Once a site is selected, this information will be shared with municipal officials and a submittal filed with the CSC, consistent with any conditions of approval.

Project Schedule: The Project is currently scheduled to begin before the end of the first quarter of 2017 and be completed by the end of the year. The start date is contingent upon securing all the necessary permitting and siting requirements from the various agencies. Once the Project receives the appropriate approvals and has selected a construction contractor, a more detailed schedule will be available and communicated to you.

Proposed Changes to Upper Parish Road: As we discussed in our meeting, Eversource is interested in acquiring permanent access rights by way of a permanent easement off of Upper Parish Road on property identified as being owned by the Town of Weston. However, based on comments provided by the town regarding the sensitivity of the property and the process and timing required for granting permanent rights, Eversource is looking to secure temporary rights sufficient to support the construction of the Project at this time.



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As part of the Project, Eversource will be replacing the conductors on existing structures between Georgetown Road and the Wilton town line. Due to topography and environmentally sensitive areas, including wetlands and vernal pools, Eversource has identified an alternate means of access outside of its existing 80 foot wide transmission corridor. This alternative access would help to minimize the proposed Project's temporary environmental impacts as well as impacts to abutting property owners, and it would also result in Project cost savings. These alternate means of access are proposed across property owned by the Town of Weston. The subject property was purchased by the Town of Weston from Howard Fromson and David Strassler by Warranty Deed dated January 28, 2003 and recorded in the Weston Town Clerk's Office in Volume 337, Page 827.

The specific areas of interest to Eversource for the alternate access can be viewed on certain parcels identified on a map entitled "Subdivision of Upper Parish Woods, prepared for Thomas Cartin, Weston, Conn. Scale 1" = 100', October 1961" on file in the Weston Town Clerk's Office as Map No. 1551, as Lots 7 & 8, as well as at the private town-owned road identified as "Upper Parish Drive". Additionally, Eversource is seeking access rights on the "Second Piece" identified in the above referenced Warranty Deed. This parcel is identified as Parcel ID 10294 in the records of the Town Assessor. The specific locations are more clearly depicted in the Redding to Wilton Project Line 1470 Weston, CT mapping on Sheets 3 & 4 Of 10 in the Petition. The subject areas are depicted as purple.

Eversource Real Estate is still compiling title documents requested by the town and other documents necessary to calculate offers of compensation for the access rights. Eversource Real Estate representatives will work with town officials to coordinate the necessary documents and review process.

Property Owner Notifications: Provided below is a summary of the outreach conducted to affected property owners to-date regarding the proposed Project.

- February 2016 - Door hanger notices and face-to-face briefings with abutting property owners began. At that time, the Project was expected to be filed and constructed in coordination with another project.
- Updates were provided to property owners over the next several months explaining the changes in the Project schedule. Communication continued in response to any specific inquiries and follow-up requests.
- January 2017 – Provided property owners with updates of the pending filing with the CSC and that a Petition letter will be forthcoming. Reiterated that the Project will continue to provide updates as they become available.
- January 2017 – Mailed letters to property owners providing notice of the Petition filing with the CSC. The letter was provided to municipal officials via e-mail in advance of the mailing.
- Additional outreach to property owners is expected to begin in February/March of 2017 in anticipation of the CSC's decision on the Project and potential subsequent start of construction. The outreach consists of meetings with the affected property owners to discuss the scope of work and address any questions. Any commitments made to property owners will be documented and tracked to resolution by Project representatives.
- Prior to the start of construction, a notification of the start of construction will be mailed to nearby abutting property owners. The letter will provide details of how Eversource will communicate throughout the extent of Project construction via Field Outreach representatives and other means.
- Outreach to property owners will continue throughout the extent of Project construction to notify property owners of the anticipated scheduled for work activities in their particular area.



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Telecommunications Facilities: Eversource supports the State of Connecticut's policy to avoid unnecessary proliferation of telecommunication towers in the state. Accordingly, Eversource will consider requests by third parties to attach telecommunication facilities to its transmission line structures, provided that the attachment will not interfere with the operation, maintenance or safety of the transmission facilities. The costs of any structural modifications, or total structure replacement required for an attachment, will be borne by the attaching entity.

In addition to the questions presented in your e-mail, there was a question you raised at the February 15, 2017 CSC Project field review, which representatives from the Town of Weston attended. You asked for a summary of the seasonal rating changes. The response to your question is provided in the table below. The values in the table are in amperes per phase.

	Conductor	Amperes		Megawatts	
		Normal	Long Term Emergency	Normal	Long Term Emergency
Pre-Project	556 kcmil ACSR	895	1145	178	228
Post-Project	795 kcmil ACSS	1279	1662	255	331
% Difference	--	43%	45%	43%	45%

I hope this information is helpful in answering your questions. If you have any additional questions, please let me know. Thanks again for meeting with us. We appreciate your involvement to help make our Project a success.

Regards,

Patrice Tyrie

Patrice Tyrie
Senior Project Manager – Siting and Construction Services
Eversource
860-728-4634

Cc:

Tracey Alston – Community Relations Representative - Eversource
Jeffery Cochran – Senior Counsel - Eversource
Fred Mattioli – Project Manager - Eversource
Charley Mead – Real Estate Representative - Cornerstone Energy, Inc.