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September 26, 2018

DELIVERED BY U.S. MAIL and E-MAIL

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

Re: Sub-Petition No. 1293-BR-02 - Eversource Energy Petition For Declaratory Ruling That No Certificate Of Environmental Compatibility And Public Need Is Required For Transmission Facility Asset Condition Maintenance Improvements To Comply With The Updated National Electric Safety Code Clearance Requirements

Dear Attorney Bachman:

This office represents the Town of Redding, Connecticut (“Town”). On behalf of the Town, an Application for Party Status and concurrent Motion for Hearing in connection with the above-captioned matter are enclosed. I have enclosed an original and 20 copies. If you have any questions or concerns, please contact me.

Very truly yours,

A handwritten signature in blue ink that reads 'Paul R. Michaud'.

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Cc: Service List (via regular mail and e-mail)

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

**EVERSOURCE ENERGY PETITION)
FOR DECLARATORY RULING THAT)
NO CERTIFICATE OF)
ENVIRONMENTAL COMPATIBILITY)
AND PUBLIC NEED IS REQUIRED)
FOR ALL TRANSMISSION ASSET)
CONDITION MAINTENANCE)
IMPROVEMENTS TO COMPLY WITH)
THE UPDATED NATIONAL)
ELECTRIC SAFTEY CODE)
CLEARANCE REQUIREMENTS)**

Sub-Petition No. 1293-BR-02

September 26, 2018

**APPLICATION FOR PARTY STATUS AND
MOTION FOR HEARING**

Pursuant to General Statutes §§ 16-50n and 4-177a, as well as §§ 16-50j-17 and 16-50j-40 of the Regulations of Connecticut State Agencies, the Town of Redding, Connecticut (“Town”), through counsel, respectfully requests that the Connecticut Siting Council (“Council”), grant the Town party status in the above-referenced proceeding (“Application”). In addition, pursuant to General Statutes § 4-176(e) and § 16-50j-40(b) of the Regulations of Connecticut State Agencies, and concurrent with the Application, the Town moves the Council to schedule and hold a formal hearing in the above-referenced proceeding (“Motion for Hearing”). In support of this Application and Motion for Hearing, the Town states as follows:

1. The Sub-Petition, which is an amendment to the original Petition for the Bethel to Redding Project, seeks changes to the original Petition, including removing 22 existing wooden transmission structures and replacing them with much taller (61 feet to 83 feet in height) steel transmission structures, plus massive foundations (“Transmission Structure Project”). The proposed 22 steel transmission structures will be substantially taller than the existing wood

structures with heights up to 9 feet taller than the existing wood transmission structures and would be installed on huge work platforms up to 15 feet away from the existing wood transmission structures, thereby substantially affecting the Town and its resident abutters. For example, Eversource's plan for a work platform and steel transmission structure would be located only 10-15 feet from a Town resident's backyard house deck and would destroy the resident's existing septic system.

2. To facilitate the installation of the steel transmission structures, new access roads and large work pads will be installed, and vegetation will be cleared within the right-of-way to meet required clearances, all of which are proposed within the legal boundaries of the Town.

3. Eversource attended a public Town meeting in mid-August 2018 and admitted to the audience that word of the Transmission Structure Project – “leaked” – and the Company was forced to acknowledge the proposed Project sooner than it intended. In other words, it appears Eversource intentionally planned on moving forward with the Transmission Structure Project with as little notice as possible to the Town and abutting property owners and was compelled to disclose its plan only because the information was mistakenly released to Town officials.

4. Within the past few days, many residents of the Town were informed for the first time that preparatory and other work relating to the Transmission Structure Project would begin October 1, 2018. Much of this work will prove highly disruptive and have potentially long-term negative effects on the Town and its residents.

5. The Town's written response to the Sub-Petition is not due until October 4, 2018, three days after work by Eversource is set to begin on the Transmission Structure Project. The Town is concerned that Eversource is pushing ahead with the Project prematurely and without regard for the Town, abutting property owners, or even the Council's procedural process.

6. Eversource's conduct seems all the more egregious as the Town still has not received a comprehensive plan as to where the transmission structures will be moved exactly, other than vague drawings on a map, and has no specific knowledge of what Eversource has actually proposed for the Transmission Structure Project.

7. The Town has been informed by several residents of Indian Hill Road that Eversource is forcing them to sign contracts for new access roads under the threat that their current property situations will be worse if they refuse to sign the contracts.

8. Similarly, the Town is aware that the property of at least one resident will be functionally destroyed by the proposed placement of a steel transmission structure by Eversource.

9. It is also the Town's understanding that affected property owners at 154, 160 and 162 Umpawaug have not been notified by Eversource regarding the proposed Transmission Structure Project or its possible effect on their rights-of-way.

10. Pursuant to §§ 16-50j-56 and 16-50j-57 of the Regulations of Connecticut State Agencies, changes to an existing site that increases the height of existing associated equipment constitutes a modification to an existing energy facility and may have a substantial adverse environmental effect. Here, the Sub-Petition proposes to remove 22 existing wood transmission structures and replace these transmission structures with much taller (up to 9 feet) steel structures. In addition, the proposed Transmission Structure Project will prove highly disruptive and have potentially long-term negative effects on the Town and its residents. As a modification to the existing wood transmission structures, and not simply maintenance, a hearing should be held to determine if the proposed steel transmission structures would have a substantial adverse

environmental effect on the Town and its residents, and to explore reasonable alternatives to the massive steel structures.

11. By virtue of the Home Rule Act, General Statutes § 7-148 *et seq.*, and its organic legislation, the Town is obligated to preserve the public welfare and well-being of its inhabitants from any substantial adverse environmental effect such as the proposed 22 new steel transmission structures and associated access roads.

12. The Town has promulgated and continues to enforce land use regulations as well as other environmental regulations in furtherance of its duties, which may be impacted by the proposed transmission structures and new access roads.

13. It is the Town's imperative to ensure that the proposed steel transmission structures, including new access roads, comport to, and are in harmony with, the Town's land use environmental regulations as well as the policies of the Town, including the impact of the proposed new steel transmission structures and new proposed access roads on environmental resources, nearby residential neighborhoods, aesthetics and historical preservation.

14. The Town's participation as a Party in this proceeding is necessary to represent the legal rights, duties and privileges of the Town and its inhabitants, which are directly impacted by the proposed steel transmission structures and new access roads.

15. The Council is required to designate party status to recipients of notice under General Statutes §§ 16-50i 16-50n(a). The Council is accustomed to granting party status to recipients of notice of under General Statutes § 16-50l, which includes the municipality in which the proposed transmission structures would be located.

16. The proposed steel transmission structures have created considerable controversy amongst various Town residents and the only way the Council can adequately hear and address

the interests of the various residents impacted by the proposed transmission structures and new access roads is to conduct an open and fair public hearing on the Sub-Petition in accordance with its rules and regulations.

17. The Town seeks a formal hearing and to participate fully in the proceedings, including but not limited to, the submission of interrogatories and documentary evidence. At the hearing, the Town would submit evidence concerning the conformity of the proposed new steel transmission structures and new access roads, or lack thereof, with the Town's land use and environmental regulations, as well as provide information concerning the impact of the proposed steel transmission structures and new access roads on the Town and its inhabitants, and if necessary proposed alternative transmission structures and access roads.

18. The Town's involvement in the proceedings would aid the Council in reaching a fair and informed decision regarding the appropriate transmission structures and location of new access roads and will not interfere with the orderly conduct of the proceedings.

WHEREFORE, the Town respectfully requests that the Council grant it party status and also schedule a full evidentiary hearing on the Sub-Petition.

Respectfully submitted by,

TOWN OF REDDING



By: _____

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CERTIFICATION

I hereby certify that on this day that the foregoing was delivered by electronic mail and regular mail, postage prepaid, in accordance with § 16-50j-12 of the Regulations of Connecticut State Agencies, to all parties and intervenors or record, as follows:

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Paul R. Michaud
Commissioner of the Superior Court