

PETITION NO. 1120 – The United Illuminating Company	}	Connecticut
petition for a declaratory ruling that no Certificate of	}	
Environmental Compatibility and Public Need is required for the	}	Siting
proposed modifications to the Hawthorne Substation located at	}	
180 Hawthorne Drive, Fairfield, Connecticut.	}	Council
	}	
	}	June 25, 2015

Decision and Order

Pursuant to Connecticut General Statutes § 16-50k(a) and Connecticut General Statutes §4-176 and the foregoing Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the effects associated with the proposed modification of the existing Hawthorne Substation located at 180 Hawthorne Drive in Fairfield, Connecticut would not have a substantial adverse environmental effect and would not require a Certificate of Environmental Compatibility and Public Need.

The project shall be constructed, operated, and maintained substantially as specified in the Council’s record in this matter, and is subject to the following conditions:

1. The Petitioner shall prepare a Development and Management (D&M) Plan for the project in compliance with Sections 16-50j-60 through 16-50j-62 of the Regulations of Connecticut State Agencies. The D&M Plan shall be served on the Town of Fairfield for comment, and all parties and intervenors as listed in the service list, and submitted to and approved by the Council prior to the commencement of construction and shall include:
 - a) construction plans for site clearing, grading, water drainage, and erosion and sedimentation controls consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended;
 - b) a final site plan showing the placement of all substation equipment, associated structures, and lightning masts within the substation perimeter, extent of paved and crushed stone surfaces, access, and fencing detail;
 - c) installation of 55-foot tall lightning masts and the re-location of the eastern substation lightning mast to a more interior location;
 - d) a substation fence line that utilizes uniform fence runs, use of 45-degree substation yard corners where feasible, and maximization of the distance between the fence line and the abutting property owners to the greatest extent possible;
 - e) an independent professional, to be approved by the Council, to evaluate runoff from the site, including effects on adjacent wetlands and abutting properties, and assessment of the effectiveness of the existing access road catch basin;
 - f) a detailed lighting plan that includes the least amount of lighting as possible during normal substation operation;
 - g) a visibility mitigation plan that includes appropriate landscaping and “wing clip” privacy slats;
 - h) implementation of an Eastern Box Turtle Protection Program; and
 - i) construction work hours.

2. Unless otherwise approved by the Council, this Decision and Order shall be void if all construction authorized herein is not completed within three years of the effective date of this Decision and Order or within three years after all appeals of this Decision and Order have been resolved. Authority to monitor and modify this schedule, as necessary, is delegated to the Executive Director. The Petitioner shall provide written notice to the Executive Director of any schedule changes as soon as is practicable
3. The Petitioner shall provide the Council with written notice of the commencement of site clearing and completion of construction.
4. The Petitioner shall comply with all future electric and magnetic field standards promulgated by State or federal regulatory agencies. Upon the establishment of any new standards, the facilities granted in this Decision and Order shall be brought into compliance with such standards as soon as practical.
5. Any request for extension of the time period referred to in Condition 2 shall be filed with the Council not later than 60 days prior to the expiration date of said time period and shall be served on all parties and intervenors, as listed in the service list, and the Town of Fairfield. Any such request for extension shall state the reason(s) for which an extension is being sought.
6. This Declaratory Ruling may be transferred, provided both the facility owner/operator/transferor and the transferee are current with payments to the Council for their respective annual assessments and invoices under Conn. Gen. Stat. §16-50v. In addition, both the facility owner/operator/transferor and the transferee shall provide the Council with a written agreement as to the entity responsible for any quarterly assessment charges under Conn. Gen. Stat. §16-50v(b)(2) that may be associated with this facility.
7. The Petitioner shall remit timely payments associated with annual assessments and invoices submitted by the Council for expenses attributable to the project under Conn. Gen. Stat. §16-50v.

By this Decision, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding, as listed in the Service List dated February 20, 2015, in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.