

<p>DOCKET NO. 424 - The Connecticut Light & Power Company } application for a Certificate of Environmental Compatibility and } Public Need for the Connecticut portion of the Interstate } Reliability Project that traverses the municipalities of Lebanon, } Columbia, Coventry, Mansfield, Chaplin, Hampton, Brooklyn, } Pomfret, Killingly, Putnam, Thompson, and Windham, which } consists of (a) new overhead 345-kV electric transmission lines } and associated facilities extending between CL&P's Card Street } Substation in the Town of Lebanon, Lake Road Switching Station } in the Town of Killingly, and the Connecticut/Rhode Island } border in the Town of Thompson; and (b) related additions at } CL&P's existing Card Street Substation, Lake Road Switching } Station, and Killingly Substation.</p>	Connecticut Siting Council November 21, 2012
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CL&P COMMENTS
Concerning The
Draft Findings of Fact Dated October 31, 2012

I. INTRODUCTION

On November 15, 2012, the Council issued a set of Draft Findings of Fact dated October 31, 2012, prepared by staff (the "First Draft"), and invited comment on it from Docket participants, to be submitted by November 21, 2012. Since then, the Council reviewed the First Draft at its meeting of November 15, 2012, directed that substantial changes be made in the First Draft, and designated a subcommittee to prepare the next draft. Discussion among the subcommittee at their initial meeting on November 19, 2012 indicated that the First Draft Findings would be reorganized and extensively revised. A further meeting of the subcommittee is scheduled for November 28, 2012.

In light of the preliminary nature of the organization and text of the First Draft on which comments are to be submitted, CL&P will not suggest detailed changes to it. Rather, CL&P will restrict these comments to: 1) pointing out inaccuracies in the First Draft that should be corrected; and 2) suggesting substantive additions warranted by the Record that would strengthen the First Draft.

CL&P respectfully requests and strongly suggests that the parties be given a brief opportunity to comment on the draft to be submitted by the subcommittee to the full Council before the Council adopts its Findings. More detailed editorial suggestions on that draft could be made, which the Council could find to be helpful. If the Council deems that there will be insufficient time for any comment period following the issuance of a revised draft, CL&P would appreciate an opportunity to submit additional, detailed comments on the First Draft at whatever time the Council might allow.

II. CORRECTIONS TO THE FIRST DRAFT

A. Mansfield Hollow

There are several findings that do not reflect the change in the proposed configuration through the federal lands in Mansfield Hollow from the “matching structure” option to the “minimal right-of-way expansion” (MRE) option, as follows:

1. The proposed structure type in Segment 5 is not an H-frame, but a steel monopole with vertically configured conductors. Thus, for instance, Draft ¶ 156¹ should be corrected to match CL&P ¶ 116, or revised so as not to mention the proposed line type, similar to Draft ¶ 154 for Segment 3.
2. The changes in the proposed configuration have reduced the required ROW and ROW clearing. These changes need to be reflected in several proposed findings. Thus,
 - a. The discussion of the cost of the Willimantic South Overhead Variation in Draft 371 refers to the section of ROW it would replace as “using an H-Frame configuration” and having an estimated cost of \$59.6 million. This statement should reflect that the section to be replaced would use an H-frame configuration *except for 1.5 -miles over federal lands in the Mansfield Hollow area where a vertical configuration will be employed*. The following statement in the finding should also be changed to reflect a vertical line configuration through the federal lands, not “delta structures.” Finally, the estimated cost differential should be reduced by \$1.3 million to \$58.3 million to reflect that the estimated cost of the MRE option is \$1.3 million more than the originally proposed matching structure option.

¹ “Draft ¶” refers to a paragraph in the October 31, 2012 First Draft; “CL&P ¶” refers to a paragraph in CL&P’s Proposed Finding of Facts d. October 1, 2012.

- b. Similarly, the discussion of the Willimantic South Underground Variation, now in Draft ¶ 375, should reflect that the section to be replaced would include the same 1.5 miles of vertical configuration through the federal lands and the cost of the section to be replaced should be increased by \$1.3 million.
- c. Whereas the widening of the maintained portion of CL&P's ROW for the entire project (including clearing for the matching structure option in Mansfield Hollow) would have resulted in the conversion of 273 acres of forested habitat to open field and scrub-shrub habitat, the change to the MRE proposal results in a reduction in that figure of approximately 5 acres to 268 acres. (Refer to CL&P Ex. 18, p. 38). Accordingly, the 273 acre figure in Draft ¶¶ 394 and 467 should be corrected to 268 acres.
- d. Similarly, the choice of the MRE as the proposed configuration in the federal lands results in approximately 5 fewer acres of forested vegetation clearing, reducing that number from 223 to 218 acres. (CL&P 18, p. 38). That correction should be made in Draft ¶ 492 or its equivalent.
- e. The discussion of the proposed route through Mansfield (Draft FOF ¶508) states that "the proposed structures are not expected to increase the visibility from the Bassets Bridge Road vista," citing to the Application. This statement was made assuming the matching structures design option over the federal lands and is not necessarily applicable to the now-proposed vertical line design in the relevant segments of Mansfield Hollow.
- f. ¶ 603 indicates uncertainty as to whether a proposed configuration in Mansfield Hollow will replace a delta configuration with a vertical configuration. It will.

B. Wetlands Impacts

Some impact data in the Draft is extracted from CL&P's Application, although it was changed by updates provided later. Thus:

- 1. The First Draft states that approximately 24 transmission structures would be unavoidably located in wetlands. (Draft ¶ 441) During the hearings, this number was updated to 19. The correct number is stated in Draft ¶ 420.

2. Draft ¶ 442 reflects a statement in the Application that there will be 9 acres of temporary wetlands impacts, whereas Draft ¶¶ 446 and 447 reflect the correct updated information for temporary, permanent, and secondary effects.

C. EMF

1. ICNIRP

There is one reference (Draft ¶ 589) to the ICNIRP maximum exposure guideline for the general public as 833 mG. (Draft ¶ 589) This reference was taken from a previous docket. As Draft ¶ 591 correctly states, this guideline value has been revised and is now 2,000 mG.

2. EMF Modeling

- a. In discussing CL&P's EMF modeling, ¶ 603 refers to three line sections where a delta configuration was modeled, stating that in these sections "CL&P proposes a delta 345-kV line configuration..." In fact, the three sections referenced include Focus Area E (Elvira Heights), where CL&P does **not** propose a delta configuration. *See*, CL&P ¶ 379. To avoid misunderstanding, any statement describing these three selections collectively should say something like "where CL&P proposes *or considers* a delta 345-kV line configuration."
- b. There are numerous references throughout this section to MF calculations. In every case, the values displayed are those for the Average Annual Load (AAL) case. A statement to this effect should be included in the Findings.
- c. The edge-of-ROW MF calculations in the table in ¶ 644 for XS-3 and in table in ¶ 649 for XS-5 reflect the original proposed 11-acre ROW expansion for the federal properties in Mansfield Hollow, not the subsequently adopted 5-acre MRE option, for which the ROW widths are less, 175 feet for XS-3 and 185 feet for XS-5. The correct calculations for this configuration are set forth in the Application, (CL&P 1, Vol. 1), in Table 10-11.
- d. The Jacqueline Ben Day Care ceased operations after the Application was filed and before the hearings concluded. *See*, CL&P ¶ 373 and its citations. This development requires corrections to Draft ¶ 333, (remove reference to "child day care facility within approximately 500 feet of the ROW); ¶ 351 (eliminate reference to "one home child day care facilities" near the Brooklyn UG variation) and ¶ 625 (change reference to "two home-based child day-care facilities" to one or drop reference

altogether, since the other home day care facility is 497 feet from the ROW and thus not adjacent” to it. See, CL&P ¶ 373.

III. SUGGESTED ADDITIONS TO THE FIRST DRAFT

A. INTRODUCTION

1. In the procedural section, there should be some mention of the Council’s three field reviews. See, CL&P ¶ 20
2. A finding concerning the agreement between CL&P and UI for a partial transfer of facilities should be included, so that it will be clear that they have complied with Conn. Gen. Stats. § 16-50k(b). See, CL&P ¶ 23.

B. NEED

1. The specific reliability needs satisfied by the project are stated succinctly under the header “Improvements” in the CL&P Draft. See CL&P ¶¶ 79-82. Only the last paragraph is included in the First Draft. Addition of the other paragraphs would strengthen it.
2. The First Draft does not note the specific benefits offered by the Project to Connecticut consumers. These are stated under the header “Connecticut-Specific Benefits” in the CL&P Draft. See, CL&P ¶¶ 83-88. It is important to include a finding that the Project has Connecticut-specific benefits as well as regional benefits.
3. A finding concerning the mandatory nature of NERC reliability standards and their potential enforcement by significant fines should be added. See, CL&P ¶ 26
4. More detail concerning the New England East-West (and West-East) Interface and its limitations would be helpful to an understanding of the conclusions concerning need. See, CL&P ¶¶ 47-52 and 74-78.
5. The discussion in the Draft of the NEEWS projects and how the Interstate Project fits in with the total NEEWS Plan is rather curt. A fuller discussion, incorporating at least CL&P ¶¶ 55 and 56, would add strength. In particular, the finding that “NEEWS is a comprehensive long-range regional plan for expansion that addresses electric transmission concerns throughout New England” (CL&P ¶ 55) was previously made in the GSRP Docket, and is important to the conclusion required by § 16-50p(a)(3)(D)(ii) that the facility “conforms to a long-range plan for expansion of the electric power grid of the electric systems serving the State of Connecticut and interconnected utility systems...”

C. ELECTRIC AND MAGNETIC FIELDS

1. EMF Modeling
 - a. In describing CL&P's EMF modeling, it would be helpful to add a finding stating that CL&P conservatively assumed generation dispatches that would make high use of the increased CT import capability provided collectively by the NEEWS projects, with "unusually high power flows over the 345-kV circuits" on the Interstate corridor. (See the Application, CL&P 1, vol. 1, p. 7-14 and CL&P ¶ 335).
2. Focus Area C

This is the section including Hawthorne Lane. Additional findings concerning the residents' proposal and the status of their efforts, such as CL&P ¶¶ 120-125 and 372 should be added to support whatever order the Council issues with respect to this section of the route.
3. Elvira Heights
 - a. The discussion of Focus Area E (Draft ¶¶ 629-632), which is the Elvira Heights segment, should include additional facts concerning this area and DEEP's comments concerning it, which support CL&P's recommendation of the base-line H-frame configuration. See, CL&P ¶¶ 376-380.
 - b. The discussion of XS-12 BMP, which also relates to this segment, should include a statement that CL&P does not recommend this alternative. See, Tr. Aug. 30, 2012, pp. 139-142; CL&P 17; CL&P ¶ 140
4. The discussion of project cost as it relates to EMF mitigation in Draft ¶ 199 is confusing. It would be clearer to follow CL&P's format of separately stating the line and substation costs, and the costs associated with each potential additional BMP measure. Thus:

The estimated capital cost for the new 345-kV transmission lines for the Project is \$193 million. This total includes an estimate of approximately \$4.2 million for EMF BMP line configurations in Focus Areas A and D, but no allowance for Focus Area E, where the BMP 12 configuration would add \$4.3 million to Project cost, or for the Hawthorne Lane Shift in Focus Area C, which would add approximately \$1.8 million to Project cost. (CL&P ¶ 144)

Incremental costs for BMP configurations would likely be localized. (CL&P ¶ 212).

The estimated capital cost for the Connecticut substation and switching station modifications is \$25 million (CL&P ¶ 152)

The total estimated Project Cost assuming the originally proposed construction, together with BMP configurations for Focus Areas A and D, would be approximately \$218 million.

D. PROJECT SCHEDULE

The Draft contains no finding concerning the Project schedule. It should be noted that construction is scheduled for 2014-2015. (CL&P ¶ 145, 153)

E. UNDERGROUND VARIATIONS

While the Civies' request for an extension of the Mount Hope Variation is mentioned in Draft ¶ 317, there are no findings with respect to the additional environmental effects and cost that this extension would entail. See, CL&P ¶¶ 247, 248.

Respectfully submitted,

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CERTIFICATION

I hereby certify that a copy of the foregoing **CL&P COMMENTS Concerning The Draft Findings of Fact Dated October 31, 2012** has been electronically mailed / sent by U.S. Mail on this 21st day of November, 2012 upon all parties and intervenors as referenced in the Connecticut Siting Council's Service List dated October 4, 2012.


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