

<p>DOCKET NO. 426 – Third Taxing District Electric Department application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of an electric substation located at 6 Fitch Street, Norwalk, Connecticut.</p>	<p>} } } }</p>	<p>Connecticut Siting Council August 9, 2012</p>
---	----------------------------	---

Decision and Order

Pursuant to the foregoing Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the effects associated with the construction, operation, and maintenance of a new electric substation located at 6 Fitch Street in Norwalk, Connecticut, including effects on the natural environment; ecological integrity and balance; forests and parks; scenic, historic, and recreational values; air and water purity; fish and wildlife; and public health and safety are not disproportionate either alone or cumulatively with other effects compared to need, are not in conflict with the policies of the State concerning such effects, and are not sufficient reason to deny the application. Therefore, the Council directs that a Certificate of Environmental Compatibility and Public Need, as provided by General Statutes § 16-50k, be issued to the Norwalk Third Taxing District Electric Department for the construction, operation, and maintenance of a new substation.

The facility 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 Certificate Holder shall prepare a Development and Management (D&M) Plan for this site 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 City of Norwalk 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 facility construction and shall include:
 - a) A final site plan showing the placement of all substation equipment, structures, and buildings within the substation perimeter, landscape plantings, access, and location of all temporary and permanent tap structures;
 - b) Erosion and sediment controls consistent with the 2002 *Connecticut Guidelines for Soil Erosion and Sediment Controls*;
 - c) Provisions for storm water management and transformer oil containment; and,
 - d) Details of The Connecticut Light and Power Company’s transmission interconnection design including considered alternatives.

2. The Certificate Holder 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.

3. In accordance with Section 16-50j-62 of the Regulations of Connecticut State Agencies, the Certificate Holder shall provide the Council with written notice two weeks prior to the commencement of site construction activities. In addition, the Certificate Holder shall provide the Council with written notice of the completion of site construction and the commencement of substation operation.

4. The Certificate Holder shall notify the Council if and when substation operations terminate.
5. Unless otherwise approved by the Council, this Decision and Order shall be void if all construction authorized herein is not completed within five years of the effective date of the Decision and Order, or within five years after all appeals to this Decision and Order have been resolved.
6. Any request for extension of the time period referred to in Condition 5 shall be filed with the Council not later than 60 days prior to the expiration date of this Certificate and shall be served on all parties and intervenors, as listed in the service list, and the Town of Norwalk. Any proposed modifications to this Decision and Order shall likewise be so served.
7. The Certificate Holder shall remit timely payments associated with annual assessments and invoices submitted by the Council for expenses attributable to the facility under Conn. Gen. Stat. §16-50v.
8. This Certificate may be transferred in accordance with Conn. Gen. Stat. §16-50k(b), provided both the Certificate Holder/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 Certificate Holder/transferor and the transferee shall provide the Council 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.
9. The Certificate Holder shall maintain the facility, substation components, landscaping, rain garden, and architectural treatments in a reasonable physical and operational condition that is consistent with this Decision and Order and the Development and Management Plan to be approved by the Council.
10. If the Certificate Holder is a wholly-owned subsidiary of a corporation or other entity and is sold/transferred to another corporation or other entity, the Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the Certificate Holder within 30 days of the sale and/or transfer.

By this Decision and Order, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.

The parties and intervenors to this proceeding are:

Applicant

Norwalk Third Taxing District
Electric Department

Its Representative

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

George E. Leary, General Manager
Third Taxing District Electric Dept.
2 Second Street
East Norwalk, CT 06855

James T. Olsen, LEP
Senior Project Manager, Associate
Tighe & Bond, Inc.
213 Court Street, Suite 900
Middletown, CT 06457

Party

The Connecticut Light and Power
Company

Its Representative

John R. Morissette, Manager
Transmission Siting and Permitting
Northeast Utilities Service Company
P.O. Box 270
Hartford, CT 06141-0270

Chris Swan, Director
Municipal Relations
Siting and Permitting
Northeast Utilities Service Company
9 Tindall Avenue
Norwalk, CT 06851

Jeffery D. Cochran, Sr. Counsel
Northeast Utilities Service Company
P.O. Box 270
Hartford, CT 06141-0270