

Pre-Hearing Conference
Docket No. 378

April 22, 2009
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Statement Regarding Hearing Issues by Concerned Residents of Warren and Washington [CROWW] SITING COUNCIL

Section 16-50p(a)(3)(B) of the Siting Council's governing statute requires the Council to file an opinion in every certification proceeding in which it shall find and determine:

(B) The nature of the probable environmental impact of the facility alone and cumulatively with other existing facilities, including a specification of every significant adverse effect, including, but not limited to, electromagnetic fields that, whether alone or cumulatively with other effects, on, and conflict with the policies of the state concerning, the natural environment, ecological balance, public health and safety, scenic, historic and recreational values, forests and parks, air and water purity and fish, aquaculture and wildlife;

CROWW has identified the following significant adverse effects that must be addressed by the Siting Council in this proceeding:

1. Adverse effects on scenic vistas and scenic roads;
2. Adverse effects on the Macricostas Preserve,
3. Adverse effects on wetlands, watershed and aquifer;
4. Adverse effects on migratory birds, eagles, and state listed species;
5. Adverse effects on protected open space and farmland;
6. Adverse effects on public health and safety, including violation of the Town of Warren Zoning Regulation requirement of a 1500 foot tower setback from every residence.

CROWW fully intends to introduce testimony and exhibits on these topics but has not been allowed sufficient time to prepare. CROWW protests the Council's intention to "expedite the hearing procedure," which will only serve to benefit the applicant and to prejudice the due process rights of citizens and non-profit organizations like CROWW.

Mandatory Consultation With Agencies

Section 16-50j(h) provides:

Prior to commencing any hearing pursuant to section 16-50m, the council shall consult with and solicit written comments from the Department of Environmental Protection, the Department of Public Health, the Council on Environmental Quality, the Department of Agriculture, the Department of Public Utility Control, the Office of Policy and Management, the Department of Economic and Community Development and the Department of Transportation. * * *

In view of the substantial and complex potential adverse effects from this proposed facility, CROWW specifically requests that the Council consult and obtain written comments from these agencies and make copies of the same available to all parties prior to the commencement of the hearing on this application. The consultation requirement will not be satisfied by mailing form letters to these agencies as the Council has done in the past, but requires direct personal face-to-face meetings, particularly with those agencies most familiar with the foregoing issues.

Respectfully submitted,



Gabriel North Seymour
Counsel to CROWW
Juris No. 424367
200 Route 126
Falls Village, CT 06031
Tel: 860-824-1412
Fax: 860-824-1210
Email: certiorari@earthlink.net

CERTIFICATE OF SERVICE

This is to certify that on this 22nd day of April, 2009, I hand delivered an original and 15 copies of the foregoing Pre-Hearing Conference, Docket No. 378, Statement Regarding Hearing Issues by Concerned Residents of Warren and Washington [CROWW] to the Connecticut Siting Council offices at 10 Franklin Square, New Britain, CT, and that a copy was mailed by first class mail, postage prepaid, to the following:

Carrie L. Larson, Esq.
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103-3702

Christopher B. Fisher, Esq.
Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor
White Plains, NY 10601

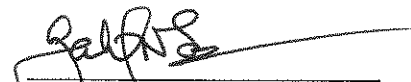
Kenneth Baldwin, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597

Hon. Mark E. Lyon
First Selectman
Bryan Memorial Town Hall
P.O. Box 383
Washington Depot, CT 06794

Hon. Jack Travers
First Selectman
Warren Town Hall
7 Sackett Hill Road
Warren, CT 06754

Ray and Mary Ellen Furse
26 Jack Corner Road
Warren, CT 06777

Hon. F. Philip Prelli, Commissioner
Department of Agriculture
165 Capitol Avenue
Hartford, CT 06106



Gabriel North Seymour