

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051


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www.ct.gov/csc

May 24, 2012

TO: Parties and Intervenors

FROM: Linda Roberts, Executive Director 

RE: **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 electrical substation located at 6 Fitch Street, Norwalk, Connecticut.

At a pre-hearing conference held May 23, 2012, at the Connecticut Siting Council's (Council) office, the Council requested that the following format be used for the public hearing scheduled on June 14, 2012.

Pre-hearing Procedure

1. On or before May 31, 2012, all parties and intervenors are requested to exchange pre-hearing interrogatories with all other parties and intervenors.
2. On or before June 7, 2012 all parties and intervenors are requested to file responses to pre-hearing interrogatories and exchange pre-filed testimony, exhibits, witness lists, and items to be noticed administratively with the Council and all other parties and intervenors. To save the time and expense of parties, intervenors, and the public, all parties and intervenors are encouraged to resolve discrepancies of these items before the hearing.
3. Any person seeking to be admitted as a party or intervenor to the proceeding is requested to file a written petition with the Council on or before June 8, 2012.
4. All filings are to be in accordance with the State Solid Waste Management Plan, the Council is requesting that all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators.
5. At least ten business days prior to the public hearing, the applicant shall erect and maintain, in a legible condition, a sign not less than six feet by four feet at the entrance to the property from a public road where the proposed facility is to be located. The sign shall set forth the name of the applicant, the type of facility, the public hearing date, and contact information for the Council (Web site and phone number).
6. Enclosed is a list of items the Council wishes to notice administratively. Objections to any item on the list should be sent to the Council before the hearing.

Hearing Procedure

7. A public field review of the proposed site will be held on June 14, 2012, beginning at 2:00 p.m.
8. The 3:00 p.m., June 14, 2012, hearing session will provide the applicant, parties, and intervenors an opportunity to introduce exhibits and witnesses, and cross-examine positions. The applicant will be allowed to present its exhibits and witness panel, and then be subject to cross-examination by the Council and all parties and intervenors. All parties and intervenors will then be allowed to introduce their exhibits and witness panels, and be subject to cross-examination by the Council, the applicant and all other parties and intervenors. All participants will be allowed rebuttal.
9. All participants are requested to place nameplates on the table in front of each witness at the hearing.
10. The order of appearances and cross-examination will be governed by a hearing program developed by the Council for the proceeding. The Council may issue a draft version of the hearing program to parties and intervenors prior to the hearing.
11. The 7:00 p.m. hearing session on June 14, 2012, will be reserved for the public to make brief statements into the record. The Council requests that the applicant conduct a brief presentation prior to public comment, using 24-inch by 36-inch diagrams depicting site features, including a map showing abutting properties. The diagrams must be from materials already submitted into the record.
12. If time remains, the 7:00 p.m. hearing session may provide the applicant, parties, and intervenors an opportunity to continue their appearances and cross-examination that began during the 3:00 p.m. hearing session.
13. The Council will provide public officials who have not been granted party or intervenor status an opportunity to make a statement.
14. The Council may, at its discretion, group parties and intervenors with the same interest.
15. Individuals will be encouraged to participate through their elected officials and other party or intervenor groupings.
16. Any party or intervenor, including those that are members of non-profit corporations or citizens groups, that have attained party or intervenor status in the proceeding are deemed to be represented in the proceeding and may not submit oral or written statements into the record.
17. All participants will be encouraged to be brief, concise, non-repetitious, and courteous of all other participants.

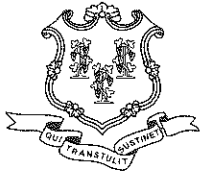
Post-hearing procedure

18. A verbatim transcript of the hearing session will be made and deposited with the Norwalk City Clerk's Office, Norwalk, Connecticut for the convenience of the public.
19. Parties and intervenors will be allowed to submit briefs and proposed findings of fact within 30 days after the close of the hearing.
20. Members of the public will be allowed to submit public statements into the record within 30 days after the close of the hearing.
21. Deadlines for briefs, proposed findings of fact, and public statements will be final and no extensions will be granted.

Thank you for your cooperation.

LR/RDM/laf

Enclosure: Administrative Notice List



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Administrative Notice List

Docket No. 426

FEDERAL

1. NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES, NATIONAL INSTITUTES OF HEALTH, EMF, ELECTRIC AND MAGNETIC FIELDS ASSOCIATED WITH THE USE OF ELECTRIC POWER (June 2002), *available at* <http://www.nema.org/gov/ehs/positions/upload/niehsqa.pdf>
2. NATIONAL RESEARCH COUNCIL, RESEARCH ON POWER-FREQUENCY FIELDS COMPLETED UNDER THE ENERGY POLICY ACT OF 1992 (National Academy of Sciences, 1999), *available at* <http://books.nap.edu/openbook.php?isbn=0309065437>
3. Proclamation No. 8460, 74 Fed. Reg. 234 (December 8, 2009), *available at* <http://www.presidency.ucsb.edu/ws/index.php?pid=86954>
4. National Park Service, U.S. Department of the Interior, *National Register of Historic Places* (July 2010), *available at* <http://www.nps.gov/history/nr/research/index.htm>

REGIONAL

5. ISO-NEW ENGLAND, INC., POWER GENERATION AND FUEL DIVERSITY IN NEW ENGLAND (August 25, 2005), *available at* http://www.iso-ne.com/pubs/whtpprs/iso_ne_paper.pdf
6. ISO-NEW ENGLAND, INC., ELECTRICITY COSTS WHITE PAPER (June 1, 2006), *available at* http://www.iso-ne.com/pubs/whtpprs/elec_costs_wht_ppr.pdf
7. ISO NEW ENGLAND, INC., 2010 REGIONAL SYSTEM PLAN (October 28, 2010), *available at* <http://www.iso-ne.com/trans/rsp/2010/index.html>
8. ISO NEW ENGLAND, INC., 2011 REGIONAL SYSTEM PLAN (October 21, 2011), *available at* <http://www.iso-ne.com/trans/rsp/2011/index.html>

STATE

Connecticut Siting Council

9. CONNECTICUT SITING COUNCIL, ELECTRIC AND MAGNETIC FIELD BEST MANAGEMENT PRACTICES FOR THE CONSTRUCTION OF ELECTRIC TRANSMISSION LINES IN CONNECTICUT (December 14, 2007), *available at* <http://www.ct.gov/csc/emf-bmp>
10. CONNECTICUT SITING COUNCIL, REVIEW OF THE CONNECTICUT ELECTRIC UTILITIES TEN-YEAR FORECAST OF LOADS AND RESOURCES 2008-2017 (November 21, 2008), *available at* <http://www.ct.gov/csc/cwp/view.asp?a=950&Q=429820&PM=1>



11. CONNECTICUT SITING COUNCIL, 2009 FORECAST OF ELECTRIC LOADS AND RESOURCES (October 8, 2009) *available at* [http://www.ct.gov/csc/lib/csc/f2009/f-2009final\[2\].pdf](http://www.ct.gov/csc/lib/csc/f2009/f-2009final[2].pdf)
12. CONNECTICUT SITING COUNCIL, 2010/2011 FORECAST OF ELECTRIC LOADS AND RESOURCES, (September 8, 2011) *available at* http://www.ct.gov/csc/lib/csc/pendingproceeds/regulations/report_text.pdf
13. CONNECTICUT SITING COUNCIL, WHITE PAPER ON THE SECURITY OF SITING ENERGY FACILITIES (October 8, 2009), *available at* http://www.ct.gov/csc/lib/csc/docket_346/whiteppr_final.pdf

Department of Energy and Environmental Protection

14. CONNECTICUT COUNCIL ON SOIL AND WATER CONSERVATION, STATE OF CONNECTICUT DEPARTMENT OF ENVIRONMENTAL PROTECTION, CONNECTICUT GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL, DEP BULLETIN 34 (May 2002, last revised September 2007), *available at* http://www.ct.gov/dep/cwp/view.asp?a=2720&q=325660&depNav_GID=1654
15. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, THE CONNECTICUT STORMWATER QUALITY MANUAL (2004), *available at* http://www.ct.gov/DEP/cwp/view.asp?a=2721&q=325704&depNav_GID=1654#download
16. CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, AMPHIBIANS AND REPTILES IN CONNECTICUT, DEP BULLETIN 32; Michael W. Klemens (2000), *available at* <http://ctdepstore.com/Amphibians-and-Reptiles-in-Connecticut-101.htm>
17. PLANNING AND STANDARDS DIVISION, BUREAU OF WATER MANAGEMENT, CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, WATER QUALITY STANDARDS, (Surface Water Quality Standards Effective December 17, 2002 and Ground Water Quality Standards Effective April 12, 1996), *available at* http://www.ct.gov/dep/lib/dep/water/water_quality_standards/wqs.pdf
18. Connecticut Air Quality Standards, Connecticut Dept. of Energy and Environmental Protection, Regs. Conn. State Agencies §§ 22a-174-24, et seq. (2006).
19. Connecticut Noise Control Regulations, Connecticut Dept. of Energy and Environmental Protection, Regs. Conn. State Agencies §§22a-69-1, et seq. (2006).
20. An Act Concerning Environmental Justice Communities and the Storage of Asbestos-Containing Material, as amended, 2008 Conn. Acts 94 (Reg. Sess.), codified at Conn. Gen. Stat. §22a-20a (2009), *available at* <http://www.cga.ct.gov/2008/ACT/PA/2008PA-00094-R00HB-05145-PA.htm>

Department of Public Health

21. CONNECTICUT DEPARTMENT OF PUBLIC HEALTH, ELECTRIC AND MAGNETIC FIELDS (EMF): HEALTH CONCERNS FACT SHEET (April 2008), *available at* http://www.ct.gov/dph/lib/dph/environmental_health/eoha/pdf/emf_fact_sheet_-_2008.pdf

Department of Transportation

22. STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION, CONNDOT DRAINAGE MANUAL (2000, last revised December 2003), *available at* <http://www.ct.gov/dot/cwp/view.asp?a=3200&q=260116>

Other State Agencies

23. STATE OF CONNECTICUT OFFICE OF POLICY AND MANAGEMENT, CONSERVATION AND DEVELOPMENT POLICIES PLAN FOR CONNECTICUT 2005-2010 (July 6, 2005), *available at* <http://www.ct.gov/opm/cwp/view.asp?a=2990&q=383182>
24. CONNECTICUT ENERGY ADVISORY BOARD, 2007 ENERGY PLAN FOR CONNECTICUT (February 6, 2007), *available at* http://www.ctenergy.org/pdf/2007_Energy_Plan.pdf
25. STATE OF CONNECTICUT ENERGY CONSERVATION MANAGEMENT BOARD, ENERGY EFFICIENCY: INVESTING IN CONNECTICUT'S FUTURE (March 1, 2007), *available at* http://www.ct.gov/dep/lib/dep/air/regulations/proposed_and_reports/app8q.pdf
26. CONNECTICUT CLEAN ENERGY FUND, FY 2011 – FY 2012 COMPREHENSIVE PLAN (June 14, 2010), *available at* <http://www.ctcleanenergy.com/Portals/0/FINAL%20DRAFT%20CCEF%20FY%2011%2012%20Comprehensive%20Plan.pdf>
27. State Plan of Conservation and Development, as amended, Conn. Gen. Stat. §§ 16a-27 to 16a-32a (2010).
28. Final Report of the Two Storm Panel, January 9, 2012.

TECHNICAL

29. INSTITUTE OF ELECTRICAL AND ELECTRONICS ENGINEERS, IEEE STANDARD PROCEDURES FOR MEASUREMENT OF POWER FREQUENCY ELECTRIC AND MAGNETIC FIELDS FROM AC POWER LINES, IEEE Std 644-1994 (Reaffirmed 2008) (March 27, 2008), *available at* https://sbwsweb.ieee.org/ecustomer/mem_type=Customer&SWEHo=sbwsweb.ieee.org&SWETS=1192713657
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31. AMERICAN NATIONAL STANDARDS INSTITUTE, NATIONAL ELECTRIC SAFETY CODE, ANSI C2-2007 (June 16, 2006).
32. EXPONENT, INC., EMF AND HEALTH: REVIEW AND UPDATE OF THE SCIENTIFIC RESEARCH (January 28, 2009), *available at* <http://transmission.bchydro.com/NR/rdonlyres/DEF09171-908A-48DF-A9DA-F28676D239FD/0/Exponent2009EMFUpdate0209.pdf>
33. THE BRATTLE GROUP, CONNECTICUT LIGHT AND POWER, AND THE UNITED ILLUMINATING COMPANY, INTEGRATED RESOURCE PLAN FOR CONNECTICUT (January 1, 2010), *available at* <http://www.ctenergy.org/pdf/2010IRP.pdf>.

ENVIRONMENTAL

34. RICHARD M. DEGRAAF & DEBORAH D. RUDIS, NEW ENGLAND WILDLIFE: HABITAT, NATURAL HISTORY, AND DISTRIBUTION (University of Massachusetts Press, 1983), *available at* <http://www.treesearch.fs.fed.us/pubs/4148>
35. ARAM J.K. CALHOUN & MICHAEL W. KLEMENS, BEST DEVELOPMENT PRACTICES: CONSERVING POOL-BREEDING AMPHIBIANS IN RESIDENTIAL AND COMMERCIAL DEVELOPMENTS IN THE NORTHEASTERN UNITED STATES, MCA TECHNICAL PAPER NO. 5 (Metropolitan Conservation Alliance 2002), *available at* <http://www.umaine.edu/vernalpools/PDFs/Best%20Development%20Practices%20%20-%20%20Conserving%20Pool-breeding%20Amph.pdf>
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MAPS

37. NATURAL RESOURCES DIVISION, CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, ATLAS OF CONNECTICUT TOPOGRAPHIC MAPS, DEP BULLETIN 17 (1992), *available at* http://www.ctdepstore.com/Maps_c16.htm;jsessionid=1FF9EB902F8695DF048A7BD535715052.qscstrfrnt02
38. State of Connecticut Department of Energy and Environmental Protection, *Natural Diversity Database*, *available at* <http://www.depdata.ct.gov/naturalresources/endangeredspecies/nddbpdfs.asp>
39. CONNECTICUT FOREST & PARK ASSOCIATION, CONNECTICUT WALK BOOK WEST (Ann T. Colson, ed., 19th ed. 2006), *available at* <http://www.ctwoodlands.org/node/17>
40. STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION, CONNECTICUT OFFICIAL STATE TOURISM MAP (2007-2009), *available at* <http://www.ctbound.org/>
41. National Audubon Society, *Connecticut Important Bird Areas* *available at* <http://iba.audubon.org/iba/stateIndex.do?state=US-CT>

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	<input checked="" type="checkbox"/> E-mail	Third Taxing District Electric Department	Andrew W. Lord, Esq. Murtha Cullina LLP CityPlace I, 29 th Floor 185 Asylum Street Hartford, CT 06103 (860) 240-6180 (860) 240-6150 fax alord@murthalaw.com
	<input checked="" type="checkbox"/> E- Mail		George E. Leary, General Manager Third Taxing District Electric Dept. 2 Second Street East Norwalk, CT 06855 (203) 866-9271 manager@ttd.gov
	<input checked="" type="checkbox"/> U.S. Mail		James T. Olsen, LEP Senior Project Manager, Associate Tighe & Bond, Inc. 213 Court Street, Suite 900 Middletown, CT 06457 (860) 704-4775 (860) 805-8776 (cell)
Party (granted 5/10/12)	<input checked="" type="checkbox"/> E-mail	The Connecticut Light and Power Company (CL&P)	John R. Morissette Manager – Transmission Siting and Permitting Northeast Utilities Service Co. P.O. Box 270 Hartford, CT 06141-0270 (860) 665-2036 (860) 665-6933 fax morisjr@nu.com
	<input checked="" type="checkbox"/> U.S. Mail		Christopher C. Swan Director Municipal Relations & Siting Northeast Utilities Service Company 9 Tindall Avenue Norwalk, CT 06851 (203) 845-3421 (203) 845-3628 swancc@nu.com

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	<input checked="" type="checkbox"/> U.S. Mail	The Connecticut Light and Power Company (CL&P) continued...	Jeffery D. Cochran, Senior Counsel Northeast Utilities Service Co. P.O. Box 270 Hartford, CT 06141-0270 (860) 665-3548 (860) 665-5504 cochrjd@nu.com