

**In The Matter Of:**  
*Application of Eversource Energy for a Certificate of  
Environmental Compatibility*

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*Hearing Docket No. 461  
December 1, 2015*

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*BCT Reporting LLC  
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1 STATE OF CONNECTICUT  
2 CONNECTICUT SITING COUNCIL

3  
4 Docket No. 461

5 Application of Eversource Energy for a  
6 Certificate of Environmental Compatibility and  
7 Public Need for the Construction, Maintenance and  
8 Operation of a 115-kilovolt (kV) Bulk Substation  
9 Located at 290 Railroad Avenue, Greenwich,  
10 Connecticut, and Two 115-kV Underground  
11 Transmission Circuits Extending Approximately 2.3  
12 Miles Between the Proposed Substation and the  
13 Existing Cos Cob Substation, Greenwich,  
14 Connecticut, and Related Substation Improvements

15  
16 Continued Hearing held at the Connecticut  
17 Siting Council, 10 Franklin Square, New Britain,  
18 Connecticut, Tuesday, December 1, 2015, at 11:06  
19 a.m.

20  
21 H e l d B e f o r e :

22 ROBERT STEIN, Chairman  
23  
24  
25

1   A p p e a r a n c e s:

2           Council Members:

3                   SENATOR JAMES J. MURPHY, JR., Vice  
4                   Chairman

5                   PHILIP T. ASHTON

6                   COMM. MICHAEL A. CARON,  
7                   PURA Designee

8                   ROBERT HANNON, DEEP Designee

9                   DR. MICHAEL W. KLEMENS

10

11           Council Staff:

12                   MELANIE BACHMAN, ESQ.

13                   Executive Director and  
14                   Staff Attorney

15                   ROBERT MERCIER

16                   Siting Analyst

17

18           For Connecticut Light and Power Company d/b/a

19           Eversource Energy:

20                   CARMODY TORRANCE SANDAK HENNESSEY LLP

21                   50 Leavenworth Street

22                   P.O. Box 1110

23                   Waterbury, Connecticut   06721-1110

24                   BY:    MARIANNE BARBINO DUBUQUE, ESQ.

25

1   A p p e a r a n c e s (Cont'd):

2

3           For the Office of Consumer Counsel:

4                   LAUREN HENAULT BIDRA, ESQ.

5                   MARGARET BAIN

6

7           For Pet Pantry Super Discount Stores LLC:

8                   THE MARCUS LAW FIRM

9                   275 Branford Road

10                  North Branford, Connecticut 06471

11                   BY:   MARK L. BERGAMO, ESQ.

12                               EDWARD L. MARCUS, ESQ.

13

14           Intervenor:

15                   DWIGHT UEDA

16                   Field Point Estate Townhouses

17                   172 Field Point Road, #10

18                   Greenwich, Connecticut 06830

19

20           Intervenor:

21                   CHRISTINE EDWARDS

22                   111 Bible Street

23                   Cos Cob, Connecticut 06807

24

25

1    A p p e a r a n c e s (Cont'd):

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3

Intervenor:

4

RICHARD GRANOFF

5

Granoff Architects

6

30 West Putnam Avenue

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Greenwich, Connecticut 06830

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1           THE CHAIRMAN: Ladies and gentlemen,  
2 I'd like to call to order this hearing of the  
3 Connecticut Siting Council today, Tuesday,  
4 December 1, 2015, at approximately 11 a.m. My  
5 name is Robin Stein, Chairman of the Siting  
6 Council.

7           This hearing is held pursuant to the  
8 provisions of Title 16 of the Connecticut General  
9 Statutes and of the Uniform Administrative  
10 Procedure Act upon an application from Eversource  
11 Energy for a Certificate of Environmental  
12 Compatibility and Public Need for the  
13 construction, maintenance and operation of a  
14 115-kilovolt bulk substation located at 290  
15 Railroad Avenue, Greenwich, Connecticut, and two  
16 115-kilovolt underground transmission circuits  
17 extending approximately 2.3 miles between the  
18 proposed substation and the existing Cos Cob  
19 substation, Greenwich, Connecticut, and related  
20 substation improvements. This application was  
21 received by the Council on June 26, 2015.

22           A verbatim transcript will be made of  
23 the hearing and deposited with the Town Clerk's  
24 office in the Greenwich Town Hall for the  
25 convenience of the public.

1           We will proceed in accordance with the  
2 prepared agenda, copies of which are available  
3 there on the table.

4           The Council received a motion for an  
5 additional hearing from the Office of Consumer  
6 Counsel, dated November 24, 2015. Attorney  
7 Bachman may wish to comment.

8           MS. BACHMAN: Thank you, Mr. Chairman.  
9 On November 24th the Office of Consumer Counsel  
10 submitted a request for an additional hearing on  
11 the basis that --

12           A VOICE: Louder, please.

13           MS. BACHMAN: -- on the basis that we  
14 gave an additional extension to Eversource to  
15 respond to their interrogatories and that today  
16 was not enough time to review all the material.  
17 We clearly have several parties and intervenors  
18 who still have to appear and be cross-examined,  
19 and we're not done cross-examining the applicant,  
20 so certainly there will be one or two or maybe  
21 three additional hearings. So I would just  
22 recommend, Mr. Chairman, that the motion be  
23 granted.

24           THE CHAIRMAN: The Chair will entertain  
25 a motion.

1 DR. KLEMENS: So moved.

2 MR. HANNON: Second.

3 THE CHAIRMAN: The motion is seconded.

4 All those in favor signify by saying

5 aye.

6 THE COUNCIL: Aye.

7 THE CHAIRMAN: Opposed?

8 (No response.)

9 THE CHAIRMAN: Abstention?

10 (No response.)

11 THE CHAIRMAN: The motion carries.

12 The Council received a request for  
13 administrative notice from Eversource Energy,  
14 dated November 24, 2015. These items are listed  
15 on the hearing program as Roman numeral II, Item  
16 A, 33 through 38.

17 Attorney Bachman may wish to comment.

18 MS. BACHMAN: Thank you, Mr. Chairman.

19 On November 24th Eversource had filed a request  
20 for additional administrative notice items, Items  
21 33 through 38 on the hearing program. One note,  
22 the Connecticut Siting Council review of the  
23 ten-year forecast of loads and resources is a  
24 draft document at this point. So you'll see under  
25 Item 38 we noted that it is the "draft" forecast,



1 dated November 12th. And then I would recommend  
2 that this be granted.

3 SENATOR MURPHY: So moved, Mr.  
4 Chairman.

5 DR. KLEMENS: Second.

6 THE CHAIRMAN: All those in favor,  
7 signify by saying aye.

8 THE COUNCIL: Aye.

9 THE CHAIRMAN: Opposed? Abstention?  
10 (No response.)

11 THE CHAIRMAN: The motion carries.

12 We'll now begin with the appearance of  
13 the applicant, Eversource Energy, to verify new  
14 exhibits marked as Roman Numeral II, Item B, 30  
15 through 37 on the hearing program.

16 Attorney Dubuque, would you please  
17 begin by identifying the new exhibits you filed  
18 and verify the exhibits by the appropriate  
19 witnesses?

20 MS. BARBINO DUBUQUE: Good morning,  
21 Mr. Chairman. Good morning, Council members and  
22 staff. I'm Marianne Barbino Dubuque of Carmody  
23 Torrance Sandak and Hennessey, representing  
24 Connecticut Light and Power Company doing business  
25 as Eversource Energy, the applicant in this

1 proceeding. And I am here this morning with our  
2 witness panel that's previously been sworn in,  
3 Mr. Kenneth Bowes, Mr. Raymond Gagnon, Ms. Jackie  
4 Gardell, and Mr. Mike Libertine.

5 And we have eight exhibits we'd like  
6 admitted into evidence. And I'd like to start  
7 with item -- I'm sorry, Exhibit 30, Eversource  
8 Energy Late-Filed Exhibits 4 to 7, 11/24/15.

9 A VOICE: Could you please speak with  
10 the mike because it's very difficult to hear you?

11 MS. BARBINO DUBUQUE: Certainly.

12 A VOICE: Thank you.

13 MS. BARBINO DUBUQUE: Exhibit 31,  
14 Eversource Energy responses to OCC  
15 Interrogatories, Set III, Questions 29, 32 to 40,  
16 and Set IV, Question 43, dated 11/24/15.

17 Exhibit 32, Eversource Energy second  
18 supplemental direct testimony of Kenneth Bowes,  
19 Raymond Gagnon and Jacqueline Gardell with  
20 attachments, dated 11/24/15.

21 Exhibit 33, Eversource Energy  
22 Late-Filed Exhibits 1 to 2, dated 11/24/15.

23 Exhibit 34, Eversource Energy  
24 Late-Filed Exhibit 3, and responses to OCC  
25 Interrogatories, Set III, Questions 30 and 31,

1 dated 11/25/15.

2 Exhibit 35, Eversource Energy responses  
3 to OCC Interrogatories, Set IV, Questions 41, 42,  
4 44 to 63, dated 11/30/15.

5 Exhibit 36, Eversource Energy responses  
6 to Pet Pantry Interrogatories, Set II, dated  
7 11/30/15.

8 Exhibit 37, Eversource Energy responses  
9 to Field Point Estate Townhouses' interrogatories,  
10 Set III, dated 11/30/15.

11 K E N N E T H B. B O W E S,

12 R A Y M O N D L. G A G N O N,

13 J A C Q U E L I N E A. G A R D E L L,

14 M I C H A E L P. L I B E R T I N E,

15 called as witnesses, being previously duly  
16 sworn, were examined and continued to testify  
17 on their oaths as follows:

18 MS. BARBINO DUBUQUE: So referring to  
19 these exhibits that I just mentioned, I'll ask Mr.  
20 Bowes, Mr. Gagnon and Ms. Gardell, did you prepare  
21 or oversee the preparation of these exhibits?

22 THE WITNESS (Bowes): Yes, I did.

23 THE WITNESS (Gagnon): Yes, I did.

24 THE WITNESS (Gardell): Yes, I did.

25 MS. BARBINO DUBUQUE: And I understand,

1 Mr. Gagnon, that you have a few corrections.

2 THE WITNESS (Gagnon): Yes, there are  
3 four corrections that I'd like to point out. The  
4 four corrections are all on Late-File Q-LF-003.  
5 There's three corrections on the maps. Map 4A,  
6 there's a section of line shown on that map that  
7 is shown in red which signifies being underground.  
8 That should be -- a portion of that should be in  
9 green. And it was map number 4A.

10 Map number 3A and 3B have a road on  
11 there that was called Indian Harbor Drive. As it  
12 goes east toward the park, that should be called  
13 Davis Avenue on that section of map.

14 And then on the Late-File narrative  
15 that we have on page 3 of 4, the second to last  
16 paragraph talks about the number of easements that  
17 are required for that segment, and there are -- in  
18 the document it says zero or it actually says "no  
19 easements" required. It should be "two easements"  
20 required in that section.

21 MS. BARBINO DUBUQUE: Are there any  
22 other corrections, clarifications or additions?

23 THE WITNESS (Bowes): There are not.

24 THE WITNESS (Gagnon): No, there are  
25 not.

1 THE WITNESS (Gardell): No, there are  
2 not.

3 THE CHAIRMAN: Excuse me, could I ask  
4 if we could at some point have a revised corrected  
5 map to put into the record and also hopefully make  
6 it as legible as possible because trying to find  
7 those red and green lines require serious eyesight  
8 adjustments?

9 MS. BARBINO DUBUQUE: Yes.

10 THE CHAIRMAN: Thank you.

11 MS. BARBINO DUBUQUE: We will take care  
12 of that and make it a little bolder.

13 To the best of your knowledge, is the  
14 information in the exhibits that I mentioned true  
15 and accurate?

16 THE WITNESS (Boves): Yes, it is.

17 THE WITNESS (Gagnon): Yes, it is.

18 THE WITNESS (Gardell): Yes, it is.

19 MS. BARBINO DUBUQUE: And do you adopt  
20 the written testimony in Exhibit 32 as your sworn  
21 testimony, and do you adopt the other documents,  
22 documents 30 to 31, and 33 to 37, as full  
23 exhibits?

24 THE WITNESS (Boves): Yes, I do.

25 THE WITNESS (Gagnon): Yes, I do.

1 THE WITNESS (Gardell): Yes, I do.

2 MS. BARBINO DUBUQUE: I would just like  
3 to add as to Exhibit 33 I'd like to ask  
4 Mr. Libertine if he prepared the photo simulations  
5 or if he was the person who oversaw their  
6 preparation?

7 THE WITNESS (Libertine): Yes.

8 MS. BARBINO DUBUQUE: Are they true and  
9 accurate?

10 THE WITNESS (Libertine): Yes, they  
11 are.

12 MS. BARBINO DUBUQUE: And do you have  
13 any corrections or clarifications?

14 THE WITNESS (Libertine): No, not at  
15 this time.

16 MS. BARBINO DUBUQUE: Thank you.

17 Mr. Chairman, I respectfully request  
18 that the Council admit into evidence Exhibits 30  
19 to 37 as full exhibits.

20 THE CHAIRMAN: Thank you.

21 Does any party or intervenor object to  
22 the admission of the applicant's new exhibits?

23 (No response.)

24 THE CHAIRMAN: Hearing and seeing none,  
25 the exhibits are admitted.

1                   (Applicant Exhibits II-B-30 through  
2 II-B-37: Received in evidence - described in  
3 index.)

4                   MS. BARBINO DUBUQUE: Thank you.

5                   THE CHAIRMAN: And we'll now resume  
6 with cross-examination by the representatives of  
7 the intervenor, Pet Pantry Super Discount Stores.

8                   Good morning.

9                   MR. BERGAMO: Good morning.

10                  MR. MARCUS: Good morning.

11                  Chairman, one -- well, actually several  
12 housekeeping matters. I'd like to point out to  
13 the Chair and the other members of the Council  
14 that our office did not receive a response to the  
15 interrogatories, our second set, until 3:45 p.m.  
16 yesterday. At that time I was with a client. I  
17 didn't get to even know that the responses had  
18 come in until about 6 o'clock.

19                  We also received a copy of a letter and  
20 all of the attachments relating thereto from the  
21 Town of Greenwich. That did not come into the  
22 office until subsequent to receiving the  
23 interrogatories. Once again, I was unaware of  
24 their receipt until about 6 p.m.

25                  Certainly on behalf of Pet Pantry we

1 weren't happy about the November 30th date, but we  
2 would have expected to receive the responses in  
3 the morning to give us a reasonable period of time  
4 to review. We did not have a reasonable period of  
5 time for review. So I would respectfully ask that  
6 our cross-exam be delayed until some other date  
7 relative to the response to our second set of  
8 interrogatories and review of the letter from the  
9 Town of Greenwich.

10 THE CHAIRMAN: I will ask Attorney  
11 Bachman to comment.

12 MS. BACHMAN: Thank you, Mr. Chairman.  
13 Clearly this was anticipated that we would have  
14 additional information come into the record after  
15 the last hearing. And certainly you will have an  
16 additional opportunity to cross-examine the  
17 applicant at a subsequent hearing date on the  
18 materials that probably no one was able to review  
19 thoroughly since last night.

20 MR. MARCUS: Thank you. Could we  
21 include within that all materials received after  
22 November 23rd? Our office shut down around 2  
23 o'clock on Wednesday for Thanksgiving.

24 MS. BACHMAN: That would be fine.

25 MR. MARCUS: Thank you.



1           I'd also, if I may, like to go back to  
2 the previous hearing and an opinion that was  
3 provided by Attorney Bachman to the Council  
4 relative to the General Statute 16-50p. I have to  
5 confess that at the time the opinion was offered I  
6 had not read the statute and was vaguely aware of  
7 its contents but took what Attorney Bachman said  
8 at that time at full face value. And I'm in no  
9 way -- this is not about any disrespect to  
10 Attorney Bachman at all. We all read statutes  
11 differently, but we did look at the statute. We  
12 also took a look at the citation which is at the  
13 end of the statute. I don't know whether Attorney  
14 Bachman is familiar with that or not, but Section  
15 (g) is relatively clear, but the citation is  
16 totally clear.

17           And what Section (g) says is that "In  
18 deciding whether to issue a certificate, the  
19 council shall in no way be limited by the  
20 applicant already having acquired land or an  
21 interest therein for the purpose of constructing  
22 the facility that is the subject of its  
23 application."

24           You then look at the citation. The  
25 citation says the phrase "in no way be limited"

1 implies that the legislature did not want Council  
2 to be bound by applicants alleged acquisition of  
3 an interest in land. But Council was not  
4 prohibited from considering such an interest in  
5 determining whether a certificate should be  
6 issued. The language is an enlargement of  
7 Council's discretion, not a limitation, permitting  
8 but not obligating Council to consider likelihood  
9 of the applicant securing the proposed site.

10 I think the opinion provided by  
11 Attorney Bachman was that "the Council may not --  
12 and I'm quoting -- "take into account whether or  
13 not they actually own a property or have rights to  
14 the property because it's really outside of our  
15 charge to balance the need for the project as it  
16 relates to the environmental impact."

17 So the statute does not say that you  
18 may not permit such testimony. It says that you  
19 may, at your discretion, but it is not mandatory  
20 that you do not permit such testimony.

21 THE CHAIRMAN: Attorney Dubuque, do you  
22 want to respond?

23 MS. BARBINO DUBUQUE: Yes. I think  
24 that certainly reading a footnote at the end of a  
25 statute that refers to a Connecticut supplement

1 case is not the authority on the issue. So we  
2 would certainly ask that this issue be deferred  
3 until the next hearing so that we could provide  
4 additional research on the subject because I would  
5 want to be sure there isn't a more authoritative  
6 opinion out there other than just this particular  
7 footnote at the end of the statute.

8 (Whereupon, Mr. Ashton entered the  
9 hearing the room.)

10 THE CHAIRMAN: I also ask Attorney  
11 Bachman to comment.

12 MS. BACHMAN: Thank you, Mr. Chairman.  
13 Certainly, Attorney Dubuque, we could defer the  
14 question to the next hearing, but the case of  
15 Corcoran versus Connecticut Siting Council speaks  
16 directly on that point, and we can take that up at  
17 the next hearing, or we can have the parties brief  
18 the issue in writing rather than have the debate  
19 here.

20 MR. MARCUS: Is that instruction to  
21 brief the issue? We have no objection to doing  
22 so, and I have read the case that you referred to.

23 THE CHAIRMAN: It's up to you, if you  
24 want to brief it, if you feel that that's  
25 critical. From what I've heard from you, I don't

1 quite understand other than we, the Council, has  
2 some additional discretion, but it's up to you if  
3 you want to brief it.

4 MR. MARCUS: I certainly have no  
5 interest in preparing briefs. I think the issue  
6 is -- and I think the reading of Section (g) is  
7 pretty clear. And I'm not suggesting that anyone  
8 is bound by any citation, but that seems pretty  
9 clear too, but if you would like, we'll be happy  
10 to brief it.

11 THE CHAIRMAN: You raised the issue, so  
12 I guess it's --

13 MR. MARCUS: I see the issue as being  
14 clear that you do have discretion to entertain  
15 testimony relative to ownership of the property.

16 THE CHAIRMAN: But if I remember  
17 correctly, your initial statement was even  
18 attorneys can read citations and laws and  
19 interpret them differently.

20 MR. MARCUS: I'm not suggesting that  
21 Attorney Bachman in any way intentionally intended  
22 to mislead anyone with her opinion. I just  
23 disagree with her opinion, and I think that the  
24 reading of the statute supports that disagreement.

25 THE CHAIRMAN: I understand that. If

1 you're prepared -- as I said, we're not going to  
2 decide that today. If you're prepared -- and we  
3 will have a subsequent meeting -- to back up or  
4 document your statement in any way you want,  
5 that's up to you. I'm not going to tell you you  
6 have to prepare a brief.

7 MR. MARCUS: Well, why don't we do  
8 this. Let me suggest the following: A, we will  
9 prepare a brief; B, let's discuss the brief and  
10 the brief that I'm sure that Eversource will file  
11 at the next hearing or whatever hearing you  
12 believe is appropriate. And if indeed you agree  
13 that you can entertain testimony, then we would  
14 like to cross-examine based on ownership issues of  
15 both 330 Railroad Avenue and 290.

16 THE CHAIRMAN: I'll agree to the first  
17 part. I'm going to save making the determination  
18 on the second part of your request until we have a  
19 chance at the subsequent meeting to review  
20 whatever material, whether it's briefs or not, but  
21 I'm not going to say yes or no on the other one.

22 MR. MARCUS: I'm just making it clear  
23 that we're not waiving any rights as of today to  
24 seek that cross-examination. I think we're on the  
25 same --

1 THE CHAIRMAN: I think we're on the  
2 same page.

3 MR. MARCUS: Same page.

4 THE CHAIRMAN: If you remember  
5 correctly, the last meeting your cross-examination  
6 went on quite some time, so I'd like to get on  
7 with it, if we can. So I think we are in  
8 agreement. But can we move on, sir?

9 MR. MARCUS: Absolutely.

10 MR. BERGAMO: Mr. Chairman, may I make  
11 one further suggestion? If there's a -- it's I  
12 guess assumed that there's going to be probably  
13 another hearing that will come up -- that the  
14 brief should be filed pretty much at the same time  
15 that additional interrogatories are filed,  
16 whatever that period of time, that way you have a  
17 time period that you can get to see and review any  
18 materials. Is that --

19 MS. BARBINO DUBUQUE: We have no  
20 objection.

21 THE CHAIRMAN: Okay. If the parties  
22 intend to file a brief, let's try to get them in a  
23 week before the next hearing which we'll give you  
24 the date --

25 MR. BERGAMO: That's wonderful. Thank

1 you.

2 THE CHAIRMAN: -- at the end of this  
3 hearing. Okay.

4 MS. BIDRA: Excuse me, not to belabor  
5 the point further -- this is Lauren Bidra with the  
6 Office of Consumer Counsel.

7 THE CHAIRMAN: If you're going to  
8 speak, you're going to have to come up and speak  
9 to a mike, please.

10 MS. BIDRA: Thank you. Briefly, and  
11 not to belabor the point -- this is Lauren Bidra  
12 with the Office of Consumer Counsel -- so all  
13 parties are on an even playing field, if there  
14 could just be a summation of the issue to brief,  
15 that would be very helpful.

16 THE CHAIRMAN: As in the interpretation  
17 of a statute and the citation, that's not enough?

18 MS. BIDRA: What statute specifically?

19 MS. BACHMAN: 16-50p, Subsection (g).

20 MS. BIDRA: And so the issue to brief  
21 would be the parties' interpretation of the  
22 statute?

23 (Whereupon, Commissioner Caron entered  
24 the hearing room.)

25 SENATOR MURPHY: I think basically your

1 issue is whether or not the applicant is entitled  
2 to file this application without having title or  
3 the right to acquire title to this property.

4 MR. MARCUS: No, Senator, that really  
5 isn't the issue.

6 SENATOR MURPHY: Okay. Well, then  
7 you --

8 MR. MARCUS: The issue is whether or  
9 not it is mandatory that you not hear any  
10 testimony relative to ownership or lack thereof by  
11 the applicant. Our position is that we have the  
12 right to inquire relative to the ownership of the  
13 property or lack thereof. Attorney Bachman's  
14 opinion was that you may not do so. We're saying  
15 the statute gives you discretion to do so.

16 THE CHAIRMAN: But you're saying it  
17 gives the Council discretion --

18 MR. MARCUS: That's correct.

19 THE CHAIRMAN: -- not the parties?

20 MR. MARCUS: Absolutely.

21 THE CHAIRMAN: Dr. Klemens.

22 DR. KLEMENS: I hate to weigh in on  
23 this. And as I say, lawyers give opinions;  
24 scientists deal with the facts. I have to say  
25 that. But I don't understand where this is going



1 because there is ample testimony throughout that  
2 the place where the proposed transmission wires or  
3 pipes are going to go are not yet owned or  
4 negotiated by the applicants.

5           So I don't understand why this actually  
6 matters and why you're pursuing this and why we're  
7 going to get yet more and more paper on this,  
8 which is really, I find, quite burdensome as a  
9 member of the Council the amount of paper that's  
10 being generated and having to be read.

11           MR. MARCUS: We have generated very  
12 limited amount of that paper, and I would agree  
13 with you that it is burdensome to read the paper,  
14 but they keep coming. Sometimes I wonder if our  
15 e-mail system can handle it all, but so far so  
16 good. But I think it's very important to know  
17 whether or not an applicant in a project of this  
18 nature has control of the site. The Council may  
19 or may not think that that is important, but the  
20 point is you have the right to hear evidence on  
21 that, if you wish to. This statute does not say  
22 you may not hear such evidence. I think it is  
23 vital. If I were sitting on the Council, I would  
24 certainly want to know whether Eversource has  
25 control of 290 Railroad, whether or not they own

1 330 Railroad, whether or not they have a contract  
2 to sell 330 Railroad. These are all important  
3 issues.

4 DR. KLEMENS: How is that different  
5 than whether Eversource or not has negotiated the  
6 rights on any of these right-of-ways, proposed  
7 right-of-ways, how is that fundamentally  
8 different, and all these different proposed  
9 routings, some of them which Eversource is quite  
10 clear they have to still negotiate?

11 MR. MARCUS: One reason it makes it  
12 fundamentally different is that our client is  
13 sitting in the path of a hurricane. Our client  
14 who has been in the property for 40 years is  
15 subject to an eviction action. And I think it is  
16 important. I think it's important that the  
17 Council understand all of the background and  
18 understand completely before they make a decision.

19 DR. KLEMENS: Okay. Thank you.

20 Thank you, Mr. Chairman.

21 THE CHAIRMAN: Thank you. Let's go on.

22 MR. MARCUS: I have one typo, and I'll  
23 give you the page. I can't find the page, but the  
24 word was -- I had asked about a "traffic" study,  
25 and the word used was "terrific" study. And I

1 will find the page for you before we leave.

2 THE CHAIRMAN: Maybe you're looking for  
3 a "terrific" traffic study, but let's go on.

4 MR. MARCUS: Well, there is none.

5 CONTINUED CROSS-EXAMINATION

6 MR. MARCUS: Mr. Bowes, one thing I'd  
7 like to understand because in reading the  
8 transcript I read any number of different answers.

9 Mr. Gagnon, at page 237 said "we put a  
10 couple of alternative routes as part of our  
11 application."

12 And page 240 --

13 MS. BARBINO DUBUQUE: Excuse me.

14 MR. MARCUS: -- you said you submitted  
15 three alternative routes.

16 THE CHAIRMAN: Excuse me, sir.

17 MS. BARBINO DUBUQUE: Excuse me. I'm  
18 sorry to interrupt, but if you can just tell us  
19 which transcript because there's been two hearings  
20 now.

21 MR. MARCUS: Well, it would be the  
22 hearing where we had cross-examined.

23 SENATOR MURPHY: And Attorney Marcus,  
24 could you move the microphone a little closer?

25 MR. MARCUS: Sure.

1           SENATOR MURPHY: Thank you very much.

2           MR. MARCUS: I'm coming off of a cold,  
3 so my voice is kind of hoarse.

4           I think I have the page citations  
5 properly. One is at page 237. There's another  
6 answer at 240 that said "three alternative routes  
7 and a couple variations."

8           Then Mr. Bowes on page 260 said there  
9 are two sites that have existing buildings and two  
10 that don't. And my question is are we talking  
11 about four potential sites?

12          THE WITNESS (Bowes): There were four  
13 sites evaluated for the substation, if that's your  
14 question.

15          MR. MARCUS: Right. And information  
16 was submitted on all of those sites to the  
17 Council?

18          THE WITNESS (Bowes): Correct. There's  
19 a data table in the application that summarizes  
20 the evaluation Eversource performed and also some  
21 written documentation for each one of the sites.

22          MR. MARCUS: So if hypothetically there  
23 were found to be a need for the substation, you  
24 could have your substation using any one of the  
25 four sites; is that correct?

1           THE WITNESS (Bowes): I don't believe  
2 so. It's probably better for the attorney to  
3 cover that. My understanding is is there's a  
4 proposed and an alternate site included in the  
5 application, but I'll defer to our attorney.

6           MR. MARCUS: So there are only two  
7 sites within the application from which the  
8 Council can pick or are there four?

9           THE WITNESS (Bowes): My underwriting  
10 is two.

11          MS. BARBINO DUBUQUE: That's correct.  
12 The application does spell out a preferred site  
13 for the substation and an alternate site.

14          MR. MARCUS: Okay. That's what I was  
15 trying to determine because the talk of four is  
16 just talk at the moment.

17          THE WITNESS (Bowes): We evaluated many  
18 parcels of land that were in the local area, and  
19 that's an evaluation of the four. It was narrowed  
20 to two, and then we have proposed one and there's  
21 an alternate.

22          MR. MARCUS: Mr. Bowes, I had asked you  
23 a question and it related to the question, Pet  
24 Pantry's Question 14, that out of the potential  
25 substations submitted by you, the original

1 proposal and the alternatives, which have the  
2 largest land area, and you answered you don't have  
3 anything to add to that. And reading the  
4 transcript, I realized that it was not an answer.  
5 That's on page 260.

6 MS. BARBINO DUBUQUE: I think that was  
7 a statement. Is there a question?

8 MR. MARCUS: That was a question as to  
9 which site has the largest land mass.

10 THE WITNESS (Bowes): So the response  
11 to Pet Pantry 014 is very clear with what the  
12 response to that is, and my statement was I really  
13 don't have anything to add other than what's  
14 already in the record. And whether it's on this  
15 piece of paper as an interrogatory accepted into  
16 evidence or whether I state it explicitly to you,  
17 it carries the same weight because that's my  
18 understanding.

19 MR. MARCUS: It seems like a simple  
20 answer.

21 THE WITNESS (Bowes): I can read it to  
22 you.

23 MR. MARCUS: Which has the largest land  
24 mass? Just tell me.

25 THE WITNESS (Bowes): The response

1 says, "See Section H.2.3 of the application. The  
2 Old Track site is more than twice the size of the  
3 other sites. However, this site has significant  
4 challenges listed in Section H.2.2.4 of the  
5 application."

6 MR. MARCUS: The Old Track site is 330  
7 Railroad?

8 THE WITNESS (Bowes): It is not.

9 MR. MARCUS: That's a different site?

10 THE WITNESS (Bowes): Correct.

11 MR. MARCUS: So that would be the third  
12 site?

13 THE WITNESS (Bowes): It's one of the  
14 four. I don't know how your classification of the  
15 third would be.

16 MR. MARCUS: Okay. It's one of the  
17 four.

18 I had asked Mr. Gagnon, page 270, about  
19 a market study, and you responded that you had a  
20 site survey. Is that site survey in evidence?  
21 That's on page 270.

22 MS. BARBINO DUBUQUE: Mr. Chairman, I'm  
23 not finding this particular discussion on the  
24 pages that are being cited, so it's very hard to  
25 follow the question when we can't find what was

1 said.

2 THE CHAIRMAN: Can you just rephrase  
3 the question? Is there a site survey for such and  
4 such a property?

5 MR. MARCUS: Was there a site survey  
6 report that's been submitted in evidence?

7 THE WITNESS (Gagnon): No, we did not  
8 submit a site survey. I believe the site survey  
9 you're talking about is when we talked about CB  
10 Ellis Richards and the market study. No, we did  
11 not submit it.

12 MR. MARCUS: So that's not in evidence.

13 THE WITNESS (Gagnon): (Shaking head in  
14 the negative.)

15 MR. MARCUS: Let's go back to the Pet  
16 Pantry first set of interrogatories. And this  
17 would be Interrogatory Number 29. Okay. My  
18 question would be: How does the drill -- what  
19 kind of drill do you use? How do you not affect  
20 the wetlands in performing the drilling exercise?

21 THE WITNESS (Gagnon): The drilling  
22 exercise, it's going underneath the harbor that we  
23 talked about. And let's see if I can pull up the  
24 drawings. And the depth of the drill bit below  
25 the harbor itself is quite a distance. Off the



1 top of my head, I think it's like 30 or 40 feet.  
2 But I do have the drawings in here that I can  
3 check if you give me a couple of seconds to look  
4 through.

5 About 47 feet below the water line. So  
6 it's far enough in the bedrock underneath the  
7 water.

8 MR. MARCUS: And the wetland areas are  
9 above it?

10 THE WITNESS (Gagnon): Yes, wetland  
11 areas are on the surface.

12 MR. MARCUS: And has this been reviewed  
13 by any wetlands commission, the process that you  
14 intend to use? Have you gone to wetlands with  
15 this?

16 MS. BARBINO DUBUQUE: I would like to  
17 point out that the Council has exclusive  
18 jurisdiction, so we are not required to go to any  
19 local wetlands agencies.

20 THE CHAIRMAN: Dr. Klemens.

21 DR. KLEMENS: I'd just like a point of  
22 clarification. When you say "water line," I think  
23 you're meaning the bottom, the depth, not what we  
24 traditionally call a water line in a wetland,  
25 correct?

1           THE WITNESS (Gagnon): I was actually  
2 referring to the top level.

3           DR. KLEMENS: You were referring to the  
4 actual top of water, not on the base of the water,  
5 which fluctuates, so how do you have a water line  
6 in a tidal -- maybe that's a Mike Libertine  
7 question.

8           THE WITNESS (Gagnon): We're about 37  
9 feet below the bottom of the water, the base of  
10 the pond area.

11          DR. KLEMENS: I think that's the more  
12 relevant. You're 37 feet below the bottom of the  
13 pond or the harbor?

14          THE WITNESS (Gagnon): Correct.

15          DR. KLEMENS: Thank you.

16          MR. MARCUS: Okay. On Question Number  
17 31 -- and we are moving along, Mr. Chairman.  
18 There are only, I believe, a hundred left.

19          THE CHAIRMAN: So you skipped Question  
20 30. I was really curious what you got on Question  
21 28, but maybe we don't have any residents from Rye  
22 here, so we could save that for another day.

23          MR. MARCUS: The question was, "What  
24 are the alternatives to another substation?" And  
25 we had suggested Eversource could supply low-cost

1 loans for people to use solar power or more modern  
2 self-contained generation systems, windmill power,  
3 but certainly there are any number of alternatives  
4 to what you're seeking; isn't that true?

5 THE WITNESS (Bowes): Yes. And we  
6 highlighted those in Section F of the application,  
7 which included both the types of alternatives, as  
8 well as the required capacity or output of those  
9 alternatives.

10 MR. MARCUS: Have you utilized any of  
11 those alternatives elsewhere?

12 THE WITNESS (Bowes): Yes, we have.

13 MR. MARCUS: Have you had experience  
14 with them?

15 THE WITNESS (Bowes): Yes, we've also  
16 had experience in Greenwich with them.

17 MR. MARCUS: Are you unequivocally  
18 testifying under oath that there are no  
19 alternatives other than another substation that  
20 would be viable?

21 THE WITNESS (Bowes): We are  
22 testifying, or I am testifying, as is in the  
23 application, Section F, highlights several  
24 alternatives. We believe that the proposed  
25 substation and interconnecting transmission lines

1 are the best available option today.

2 MR. MARCUS: Okay. So what you're  
3 really saying is that the substation is not the  
4 only option?

5 THE WITNESS (Bowes): The application  
6 has several other options contained --

7 MR. MARCUS: No, I've asked you a  
8 question. Are you saying that the substation is  
9 not the only viable option to provide the  
10 electricity needed by the Town of Greenwich?

11 THE WITNESS (Bowes): That is correct.

12 MR. MARCUS: Now, let's move to  
13 Question 33. Have you ever embarked on a project  
14 of this size without a substantial cost overrun?

15 MS. BARBINO DUBUQUE: Mr. Chairman, I  
16 think the answers are already -- they've been  
17 sworn to.

18 THE CHAIRMAN: I don't understand, sir.  
19 The answer is very clear, and I don't think they  
20 have to --

21 MR. MARCUS: Well, there's a difference  
22 between an answer being prepared sitting with your  
23 counsel and an answer provided as a live body  
24 under cross-examination. That's what cross is all  
25 about.

1           THE CHAIRMAN: I'm sorry, I find that  
2 very bizarre that you would make a comment like  
3 that. Well, "bizarre" was not the right term.  
4 But if I understand what you're saying correctly,  
5 all of this written material is useless unless we  
6 can go over every sentence or every "t" that's  
7 crossed and every "i" that's dotted.

8           MR. MARCUS: I haven't done that.

9           THE CHAIRMAN: Yes, you have, sir.

10          MR. MARCUS: I've stayed to the  
11 questions that --

12          THE CHAIRMAN: Well, I will then answer  
13 the question. It just says -- and all I'm doing  
14 is quoting from the response. Is that what you  
15 wanted them to do?

16          MR. MARCUS: I want them to give me an  
17 answer to the question sitting there without  
18 looking at the response and tell me what the  
19 answer is.

20          THE CHAIRMAN: This is not --

21          MS. BARBINO DUBUQUE: Mr. Chairman --

22          THE CHAIRMAN: This is not a "got-you"  
23 game, this is not a game of "got-you." They can  
24 certainly look at the response.

25          MR. MARCUS: Cross-examination is of

1 course a game of "got-you." There is no other  
2 basis for cross but to try to elicit information  
3 that's not favorable to the party that you're  
4 questioning.

5 THE CHAIRMAN: This is not a court.

6 MR. MARCUS: This is not a court, I  
7 understand that. If it were a court, we wouldn't  
8 have a gang response. So it's completely  
9 different. It's an administrative hearing.  
10 There's a lot of leeway, but that leeway works  
11 both ways. It doesn't work only for Eversource.  
12 It works for the intervenors as well.

13 THE CHAIRMAN: Absolutely, one thing  
14 I'm in total agreement with what you said. And  
15 that's why they have prepared this list and  
16 they've answered the questions.

17 Now, if you have a question about their  
18 response or wish to ask some in addition to what  
19 they call Stamford and Greater Springfield  
20 Reliability, if you have another case, I'm not  
21 sure what the point would be.

22 MR. MARCUS: The response --

23 THE CHAIRMAN: Excuse me, sir, I'm  
24 talking. Am I allowed to do that?

25 MR. MARCUS: You have the chair.

1           THE CHAIRMAN: Well, thank you. I was  
2 about to suggest maybe we should change, you know,  
3 switch chairs, but I won't do that.

4           If you wanted them to elaborate on the  
5 answer, that's perfectly acceptable, but if you  
6 just want them to repeat the answer and somehow by  
7 memory remember the answer to everything and the  
8 Chair is supposed to not allow them to look at the  
9 mountains of paper, I mean, is beyond me.

10          MR. MARCUS: Let's do this a different  
11 way then. We'll get to what I'm trying to get at.

12                   How much was the job that you referred  
13 to in Stamford, the underground cable project?  
14 How much was the bid, and what did you actually  
15 come in at?

16          THE WITNESS (Gagnon): Originally we  
17 put an estimate in at 47 million. The project  
18 came in at 36.6 million.

19          MR. MARCUS: Do you have any projects  
20 that you can point me to that are in the \$140,  
21 \$150 million range that came in without a cost  
22 overrun?

23                   THE WITNESS (Gagnon): Without a cost  
24 overrun? Yes, the Greater Springfield Reliability  
25 Project. I don't remember the exact number, but

1 it was a \$700 million project. That came in on  
2 budget. We just finished the IRP, Interstate  
3 Reliability Project. The estimate was 217  
4 million. We are at 216 right now, and the project  
5 is just going into service.

6 MR. MARCUS: And over the past five  
7 years what projects over 100 million have come in  
8 over cost where there have been cost overruns?

9 THE WITNESS (Gagnon): In the past five  
10 years, I would have to do some research on that.  
11 I don't know off the top of my head.

12 MR. MARCUS: Well, that's what the  
13 question really asked for. I thought the question  
14 was clear. I don't think the answer was.

15 MR. ASHTON: Mr. Marcus, what's the  
16 relevance of this?

17 MR. MARCUS: The relevance is that  
18 there is a likelihood, in our opinion, of a cost  
19 overrun; and if there is, the ratepayers of the  
20 state are stuck with additional costs. So if  
21 there's a likelihood that the overrun will take  
22 place, then it is something which is negative  
23 and --

24 MR. ASHTON: Are you testifying now?

25 MR. MARCUS: I'm not testifying. I'm



1 responding to a question.

2 MR. ASHTON: Well, you said there's a  
3 likelihood of it coming in over. That to me  
4 sounds like testimony.

5 MR. MARCUS: I'm responding to a  
6 question.

7 Moving to Question 37, is it true that  
8 in Greenwich the load values were reduced in 2014?

9 THE WITNESS (Bowes): The peak load in  
10 Greenwich went down in 2014 versus 2013, yes.

11 MR. MARCUS: Well, if your position is  
12 that you need the substation because Greenwich is  
13 growing and there's an additional need, what's the  
14 explanation for it going down?

15 THE WITNESS (Bowes): We have addressed  
16 that in several of the other interrogatories, but  
17 I'll restate it as simply as I can. 2013 had a  
18 long period of high heat, high humidity days,  
19 which led to a high heat index, and that's when  
20 the peak demand was set in Greenwich. In 2014 and  
21 also in 2015 we have not seen that same type of  
22 prolonged heat wave during those summer months.

23 MR. MARCUS: So this is something that  
24 can go up, can go down, to some extent contingent  
25 on the weather?

1           THE WITNESS (Bowes): Very contingent  
2 upon the weather. And yes, over the last ten  
3 years there have been year-to-year variations in  
4 the peak demand in Greenwich.

5           MR. MARCUS: Is it true that the design  
6 of the substation building has not met with the  
7 approval of the Town of Greenwich? It's just a  
8 yes or no.

9           MS. BARBINO DUBUQUE: I'm going to  
10 object to that because we are before the Siting  
11 Council, and the town's approval is not required.

12          THE CHAIRMAN: I guess the answer to  
13 your question is no.

14          MR. MARCUS: Okay.

15                 One issue I'd like to come back to to  
16 further understand it, we had agreed, or you had  
17 testified to the fact that 330 Railroad is within  
18 a 500-year floodplain; is that correct?

19          THE WITNESS (Bowes): Yes, it is.

20          MR. MARCUS: And somewhere along the  
21 way you had allocated the chance of a flood at .2  
22 percent?

23          THE WITNESS (Bowes): Yes.

24          MR. MARCUS: Is that correct?

25          THE WITNESS (Bowes): That is correct.

1 MR. MARCUS: And am I correct in  
2 thinking that .2 percent is one out of 500?

3 THE WITNESS (Bowes): Correct.

4 MR. MARCUS: So that property has a one  
5 out of 500 chance of a flood. Incidentally, there  
6 isn't any record of any flooding on that property,  
7 is there?

8 THE WITNESS (Bowes): I'm not aware of  
9 any.

10 MR. MARCUS: Is it possible if you're  
11 afraid of -- concerned about a flood to put the  
12 substation somewhat higher on that property to  
13 avoid the .2 percent risk?

14 THE WITNESS (Bowes): Yes.

15 MR. MARCUS: Now, if you look at  
16 Interrogatory Number 45, we asked whether or not  
17 290 Railroad was only several feet away from 330  
18 Railroad. And if you look at your answer, you  
19 said the edge of the 500 floodplain is located 10  
20 feet from the southwest corner of 290 Railroad.  
21 So they're pretty close together. So would that  
22 .2 risk also apply to 290 Railroad?

23 THE WITNESS (Bowes): The risk would be  
24 lower than that for 290 Railroad Avenue because  
25 it's outside the delineated 500-year floodplain.

1           MR. MARCUS: So what would you  
2 calculate that risk as?

3           THE WITNESS (Bowes): I have no --

4           MR. MARCUS: Well, you're really  
5 guessing on the .2. Give us an educated guess on  
6 290.

7           THE WITNESS (Bowes): I'm not guessing  
8 on the .2 percent. That's an established criteria  
9 of what a 500-year floodplain is.

10          MR. MARCUS: So if you're within 10  
11 feet of a 500-year floodplain, there's some  
12 exposure at that point?

13          THE WITNESS (Bowes): It would be a  
14 reduced exposure as you go on higher ground  
15 from --

16          MR. MARCUS: But can we agree that if  
17 you're 10 feet away, there is exposure, some  
18 exposure?

19          THE WITNESS (Bowes): There is limited  
20 exposure, yes.

21          MR. MARCUS: Okay.

22          DR. KLEMENS: Can we have Mr. Libertine  
23 answer that question?

24          THE WITNESS (Libertine): Well, similar  
25 to Mr. Bowes's response, I think it's almost

1 impossible to give you a finite answer in terms of  
2 the probability, but the flood zone is associated  
3 with the stream that actually bisects 330 Railroad  
4 Avenue; and yes, it does flow from north to south  
5 and exits through that portion of the property.  
6 So the entire intersection and that whole area is  
7 close in proximity to the 500-year floodplain. Is  
8 there a likelihood that we're going to have that  
9 type of an event outside the 500-year floodplain  
10 that's been delineated? You can never say never  
11 certainly, but it's a fairly low likelihood.

12           The other thing I would point out is in  
13 terms of any critical infrastructure that's  
14 proposed for the 290 Railroad site, that's really  
15 well outside of that area. We're talking about a  
16 fairly small corner of the property that is in  
17 close proximity to that. So we don't really have  
18 that exposure potential that we have at 330, and  
19 that's really the difference.

20           MR. MARCUS: It would be a lower  
21 exposure; isn't that correct?

22           THE WITNESS (Libertine): That's  
23 correct.

24           MR. MARCUS: I mean, all the  
25 calculations you're using, Mr. Bowes, are based

1 upon flood maps, correct? I mean, this event  
2 hasn't happened, there hasn't been a 100-year  
3 flood, there hasn't been a 500-year flood; is that  
4 correct?

5 THE WITNESS (Bowes): Not that I'm  
6 aware of at this location.

7 MR. MARCUS: And that's true of both  
8 330 and 290?

9 THE WITNESS (Bowes): Yes, I believe it  
10 is.

11 MR. MARCUS: Okay. Let's move on to  
12 Interrogatory 46. Within the last ten years, to  
13 the best of your knowledge, have there been any  
14 blackouts in Greenwich other than Storm Sandy,  
15 October 30, 2012, and a tree-related event on  
16 August 6, 2012?

17 THE WITNESS (Bowes): If you're  
18 defining a blackout as a complete loss of supply  
19 and all the residents being out of service, then  
20 those are the only two that I'm aware of.

21 MR. MARCUS: So that Greenwich is not  
22 an area where it totally blacks out as a matter of  
23 regularity?

24 THE WITNESS (Bowes): Two in ten years  
25 is certainly abnormal. The planning criteria from

1 ISO New England usually assumes a one-in-ten-year  
2 probability, and that's just a probability. So to  
3 have it actually happen twice in that time frame I  
4 would say is highly unusual.

5 MR. MARCUS: It actually happened twice  
6 over the period of six months. It is unusual.

7 THE WITNESS (Bowes): It is unusual.

8 MR. MARCUS: And it's also true of  
9 lightning strikes as well; isn't that true?

10 THE WITNESS (Bowes): I'm sorry, what  
11 is true of lighting strikes?

12 MR. MARCUS: Well, let's look at  
13 Question 47.

14 THE WITNESS (Bowes): To have  
15 lightning strikes occur is fairly commonplace in  
16 Connecticut. For example, in Greenwich in the  
17 last five years there have been more than 2,500  
18 lightning strikes in the town proximity.

19 MR. MARCUS: But it's rare for a  
20 lightning strike to actually hit a substation?

21 THE WITNESS (Bowes): I would say in  
22 the scheme of the total number of lightning  
23 strikes, yes.

24 MR. MARCUS: Now, Eversource through  
25 its sworn testimony has indicated that there is

1 increased demand in Greenwich for which you need  
2 to meet; is that correct?

3 THE WITNESS (Bowes): Yes.

4 MR. MARCUS: Yet, has the size of the  
5 town grown appreciably in the last several years?

6 THE WITNESS (Bowes): You mean the  
7 population?

8 MR. MARCUS: Population.

9 THE WITNESS (Bowes): The population, I  
10 believe, has remained relatively stable.

11 MR. MARCUS: Then what is it that has  
12 grown within the town?

13 THE WITNESS (Bowes): Based on my  
14 experience, over the last few years there's been a  
15 number of reconstruction projects done in  
16 Greenwich where existing older homes are either  
17 significantly renovated and increased in size or  
18 the homes are removed and then a new home is added  
19 with a sizeable increase in size and demand.

20 MR. MARCUS: So are you suggesting the  
21 need is based on your visual observations as to --

22 THE WITNESS (Bowes): Well, as to the  
23 reason why, I mean, the numbers are very clear in  
24 both the peak demand changes and the actual usage,  
25 so the electric usage. Those numbers have been



1 provided in the application.

2 MR. MARCUS: We'll reserve further  
3 questions on that subject matter based on the --

4 THE WITNESS (Bowes): The reason that I  
5 have seen based on the number of new service  
6 applications that we have coming in is not  
7 abnormally high for new construction. What we do  
8 see is a lot of reconstruction activity where the  
9 service upgrades are requested. It might be an  
10 existing 200 or 400 amp service, and we're seeing  
11 a number of requests for three-phase power versus  
12 the normal single-phase, and it's not uncommon to  
13 have 1,000 or 1,200 amp services being requested.

14 MR. MARCUS: And these are on  
15 residential homes?

16 THE WITNESS (Bowes): They are  
17 residential, yes. So in another area or other  
18 parts of the state those would typically be  
19 medium-sized commercial buildings that would  
20 require a service of that size.

21 MR. MARCUS: You're talking about  
22 having increased service to handle the big  
23 mansions?

24 THE WITNESS (Bowes): I think larger  
25 facilities, larger residential dwellings, yes.

1           MR. MARCUS: I'm going to move to and  
2 reserve the right to ask other questions based on  
3 the town submission, as previously granted by the  
4 Council.

5           But let's move to Interrogatory 61.  
6 Just explain to me in plain English why the  
7 culvert that goes through the middle of 330  
8 Railroad would be an issue or a detriment to use  
9 of that property for a substation?

10           THE WITNESS (Bowes): As Mr. Libertine  
11 commented on previously, it bisects the property.  
12 It has the potential for a 500-year flood. It  
13 would make construction of the new facility either  
14 more costly or more complicated based upon having  
15 to either bridge this culvert or ultimately  
16 replace this culvert. So the length of  
17 construction, the complexity of construction, and  
18 the cost of the substation would rise because of  
19 it.

20           MR. MARCUS: How high is the culvert?  
21 I mean, if this is a flat surface, or your desk is  
22 a flat surface, does the culvert protrude above  
23 the land or is it underneath?

24           THE WITNESS (Bowes): My understanding  
25 it's underneath for the entire segment across the

1 parcel.

2 MR. MARCUS: So there's land above the  
3 culvert?

4 THE WITNESS (Bowes): Yes.

5 MR. MARCUS: And you don't see it if  
6 you look at the property; is that true?

7 THE WITNESS (Bowes): That is correct,  
8 as far as I know.

9 MR. MARCUS: Okay. I had thought from  
10 your previous testimony it was actually elevated  
11 and up, but it's not, it's actually covered by  
12 dirt?

13 THE WITNESS (Bowes): Yes.

14 MR. MARCUS: So your only reason for  
15 talking about the culvert is that it ties in with  
16 the one out of 500 and 500-year flood issue?

17 THE WITNESS (Bowes): No.

18 MR. MARCUS: No. Okay.

19 THE WITNESS (Bowes): I just gave you  
20 three other reasons.

21 MR. MARCUS: So there are multiple  
22 reasons. But it certainly is nothing that could  
23 not be handled in a construction manner, you could  
24 certainly construct above the culvert, and you can  
25 protect against the culvert?

1 THE WITNESS (Bowes): We couldn't build  
2 over the culvert, if that's what you're saying.  
3 Could we work around it with mitigation measures?  
4 It's possible, or we'd have to replace the  
5 culvert.

6 MR. MARCUS: And replacing the culvert  
7 is a possibility; is that correct?

8 THE WITNESS (Gagnon): I just want to  
9 add, this culvert was built in 1934. It's very  
10 old. The structure design itself can't support  
11 the heavy weight. So if you were going to do it,  
12 you would have to rebuild the culvert area  
13 completely in a live substation area.

14 MR. MARCUS: But you could do that?

15 THE WITNESS (Gagnon): As engineers we  
16 believe you can do a lot of things, correct.

17 MR. MARCUS: No. Just answer my  
18 question. You could replace the culvert?

19 MS. BARBINO DUBUQUE: I think Mr.  
20 Gagnon did say the answer.

21 MR. MARCUS: Was the answer yes or no?

22 MS. BARBINO DUBUQUE: He said  
23 "Correct."

24 MR. MARCUS: Okay. Then it's a "yes."

25 All right. I just have one last

1 question for today.

2           Going over all of the testimony that's  
3 been given on my cross -- and I realize that your  
4 position is that there's a second phase to this,  
5 give the certificate, and then we'll do the rest  
6 of it -- but there's no study on the impact of  
7 parking due to trenching, there's no study on  
8 construction noise, there's no traffic study, no  
9 study on impact of construction excavation and  
10 demolition, no study on impact of town services,  
11 emergencies, no study on cost, ability to perform,  
12 no completion of what is impervious, no market  
13 study of any kind, no market study on market value  
14 of real estate during construction, no study of  
15 use of chemicals used to --

16           MS. BARBINO DUBUQUE: Excuse me, is  
17 there a question, Mr. Chairman --

18           MR. MARCUS: There will be. There will  
19 be.

20           MS. BARBINO DUBUQUE: -- because it's  
21 getting very long, so we're going to have a hard  
22 time keeping track of it.

23           MR. MARCUS: I'm going to give you the  
24 pages that these issues were raised.

25           THE CHAIRMAN: We'd like a question.

1 MR. MARCUS: There's going to be one.

2 THE CHAIRMAN: Okay.

3 MR. MARCUS: -- no study where use of  
4 chemicals used to break on rocks. Given that, how  
5 can you in all fairness expect the Council to  
6 provide you with a certificate?

7 MS. BARBINO DUBUQUE: Mr. Chairman, I  
8 think that's more of a rhetorical question. It's  
9 not --

10 MR. MARCUS: No, it's a real question.

11 MS. BARBINO DUBUQUE: Eversource has  
12 submitted many many documents in support of its  
13 application.

14 MR. MARCUS: The issue is --

15 MS. BARBINO DUBUQUE: Is there any  
16 other answer that we need to provide other than  
17 the record speaks for itself?

18 THE CHAIRMAN: I think that obviously  
19 he's entitled to ask the question and you're  
20 entitled to answer the question. And it doesn't  
21 require that the intervenor like your answer, but  
22 you're entitled to answer it. If that's your  
23 answer, that's your answer.

24 MS. BARBINO DUBUQUE: Well, then go  
25 ahead and try, Mr. Bowes.

1           THE WITNESS (Bowes): So we provided an  
2 application to the Council that meets all of the  
3 legal requirements. Along with that, we've also  
4 performed this type of project work in many other  
5 parts of our service territory and done it  
6 successfully.

7           I'll point out the latest project we  
8 did, which is similar in type, in downtown  
9 Stamford. It went through a very congested area.  
10 It was an underground transmission line connecting  
11 two substations. And we worked through the issues  
12 with the City of Stamford in what I would call a  
13 partnership, including through different  
14 administrations, if there was a political issue or  
15 not. We were successful with the City of Stamford  
16 on a project that is similar in the underground  
17 construction components, at least. And we've had  
18 ongoing projects at both of the end substations,  
19 both Glenbrook and Southend.

20           So in the scope of the entirety of the  
21 project it's probably actually larger than this  
22 project in impacts on the city and city services.  
23 They commended us for the work on that project,  
24 and you saw just recently Mr. Gagnon indicated  
25 that it came in significantly below the cost

1 estimate we had. And the reason it came in -- or  
2 one of the reasons it came in below cost was  
3 because we were able to work so well with the City  
4 of Stamford.

5 We fully intend to do the same thing  
6 with the Town of Greenwich. We've demonstrated  
7 that in past projects in the Town of Greenwich.  
8 We've been able to work through complicated  
9 underground issues between the town sewer and our  
10 electric facilities. We've proven that we can  
11 work well with Metro-North. So a lot of the same  
12 entities that we deal with in this proposed  
13 project we have done so successfully in past  
14 projects, including this very same service area.

15 MR. MARCUS: But would you agree that  
16 for the intervenors and the general public the  
17 lack of these studies gives them insufficient  
18 material to review to really say that this project  
19 is viable or not?

20 THE WITNESS (Bowes): I cannot speak  
21 for all the intervenors, but it clearly did not  
22 satisfy you.

23 MR. MARCUS: One last question. Why do  
24 you not do these studies now? Why do you wait  
25 until you get the certificate? Is it a matter of



1 money?

2 THE WITNESS (Bowes): No, it's a matter  
3 of the endless possibilities of which studies to  
4 do. We need to have a preferred or a set route  
5 and a set location then all of these other studies  
6 can be performed, if needed. But until you have  
7 that, the amount of variations are really  
8 overwhelming.

9 MR. MARCUS: I don't have any further  
10 questions at this time subject to the  
11 understanding reached previously about continuing  
12 cross-exam on the answers to the second set of  
13 interrogatories and on any materials received  
14 after November 23rd.

15 THE CHAIRMAN: Thank you.

16 The next entity, intervenors for cross,  
17 is Field Point Estate Townhouses.

18 DWIGHT UEDA: Okay. What I'd like to  
19 do is start, believe it or not, this is maybe an  
20 ironic request --

21 THE CHAIRMAN: You might start by  
22 stating your name.

23 MR. UEDA: Okay. My name is Dwight  
24 Ueda, and I'm representing Field Point Estate  
25 Townhouses as an intervenor.

1 THE CHAIRMAN: Okay.

2 MR. UEDA: Thank you.

3 Keep your Pet Pantry questions open.

4 I'd like to refer to the first set of  
5 interrogatories. It's Question Number 22. So the  
6 question reads as follows: "Who are the  
7 commercial users in Stamford and how much do they  
8 use? Is this the reason for putting a substation  
9 in Greenwich and expanding Cos Cob?"

10 And Eversource provided the response,  
11 "The proposed new substation will only serve  
12 customers in Greenwich."

13 So my cross examination is can the same  
14 be said about the Cos Cob station once a new  
15 substation in Greenwich is placed into service?

16 THE WITNESS (Bowes): That it will  
17 serve only customers in Greenwich?

18 MR. UEDA: Correct. This is the Cos  
19 Cob facility.

20 THE WITNESS (Bowes): I believe the  
21 answer is yes. The hesitation was is one of the  
22 largest customers out of Cos Cob is Metro-North,  
23 so it would certainly serve customers along the  
24 railroad corridor.

25 MR. UEDA: Okay. I'm a little confused

1 by that answer, but I'll get to that next time.  
2 Because my understanding is that Metro-North is  
3 not serviced by Eversource, but they're taking  
4 directly off the 115-kV line, therefore they take  
5 no capacity from the Cos Cob station?

6 THE WITNESS (Bowes): Again, it may be  
7 a matter of semantics, but the general facility  
8 there at Cos Cob, I was including both the  
9 Metro-North and Eversource substations and the NRG  
10 facility.

11 MR. UEDA: All right. So why don't we  
12 go to the interrogatories that I had last  
13 submitted, the third set of interrogatories. And  
14 the problem is I, like Pet Pantry Warehouse, need  
15 more time to go over the responses, but let me ask  
16 a few questions that are kind of ones that -- you  
17 know, clarification ones.

18 So the first question I'd like to go to  
19 which is a quick clarification -- it just requires  
20 a yes or no answer -- is Question 11 where I asked  
21 whether the \$140 million substation proposal will  
22 still be deemed an accurate and a good faith  
23 estimate under ISO-NE PP-4 if the substation were  
24 completed for an actual cost of 210 million. You  
25 gave a rather elaborate answer. I presumed you

1 were just trying to say "yes"; is that correct?  
2 I'm just asking just is that indeed correct? I'm  
3 not asking whether you'll come in at that, but  
4 will you be legally okay?

5 THE WITNESS (Gagnon): For a conceptual  
6 level estimate it would be okay.

7 MR. UEDA: Okay. All right. So let's  
8 talk about Question 5 where I asked about the ad  
9 hoc solutions such as emergency generators being  
10 brought to bear to meet peak demand.

11 Now, in your answer -- and I think this  
12 is sort of the crux of the whole argument -- is  
13 that what you're saying is that the changes in  
14 peak demand are a result of permanent load  
15 additions. And that was your response.

16 And when I look at the historical peak  
17 usage, which happened to be in Question Number 2,  
18 I don't see where those permanent load additions  
19 are. If you can show me how I can identify them  
20 based on the historical usage in Question 2? I'd  
21 like to see some kind of trend line that shows  
22 some degree of that increase in permanent load.

23 THE WITNESS (Bowes): Okay. So I think  
24 that's the only question that I'll address. I  
25 know there were several other, beginning with the

1 other interrogatory. The permanent load additions  
2 would be included and there were several  
3 interrogatories around the amount of megawatt  
4 hours actually served. So it's not a question of  
5 capacity, it's a question of usage, and that usage  
6 has been consistent across many of the years even  
7 when the peak demand was not.

8 MR. UEDA: Right. But isn't the issue  
9 about addressing peak demand?

10 THE WITNESS (Bowes): The issue is  
11 about addressing peak demand, right.

12 MR. UEDA: Right. And so in some ways  
13 we're sort of mixing what was a permanent load  
14 usage with peak demand. So far with peak demand  
15 we have not seen a strong, clear, upward trend.

16 THE WITNESS (Bowes): And the issue is  
17 if the underlying customer loads are there, as  
18 measured by their usage, then in the high heat,  
19 high humidity days there's every expectation that  
20 the demand will also go up.

21 MR. UEDA: Right.

22 THE WITNESS (Bowes): There's been no  
23 curtailment of actual usage by customers in  
24 Greenwich, so that base load or base usage is  
25 still there.

1           MR. UEDA: Okay. I guess my point is  
2 that when I look at this historical usage rather  
3 than using these trends, to me what you're talking  
4 about, even though the permanent load has  
5 increased, you know, weather is highly variable,  
6 it's not something you can count on or we can  
7 expect this trend line to just go continually  
8 upward. Instead, what we have is something that's  
9 highly variable. And usually when you have  
10 situations that are highly variable, you don't use  
11 permanent solutions to solve them.

12           THE WITNESS (Bowes): When the  
13 alternative is disconnecting customers, there is  
14 an obligation to serve so --

15           MR. UEDA: Okay. You said  
16 "disconnecting customers." You basically provided  
17 only 140 mega -- was it a new substation to serve  
18 that or to resolve that issue?

19           THE WITNESS (Bowes): Maybe I wasn't  
20 clear before. Eversource has an obligation to  
21 serve all of the customers on the hottest summer  
22 day, the coldest winter night. So we have to  
23 respond in a planning forecast to loads that will  
24 be achievable in a certain period of time. So  
25 without that obligation to serve, if customers are

1 willing to exit the system at our will -- and I  
2 don't think that's the case here -- then other  
3 solutions could be adopted, load curtailment, for  
4 example.

5 MR. UEDA: Okay.

6 THE WITNESS (Bowes): Emergency  
7 generation, for example. It's not part of our  
8 base planning criteria to run emergency generators  
9 to satisfy customer load. It's only during  
10 emergencies, thus the name, emergency generation.

11 MR. UEDA: Right. But it seems like  
12 when you have some things that are fluctuating,  
13 you don't need to have a permanent solution  
14 because they're not fluctuating upwards, they're  
15 more cyclical.

16 THE WITNESS (Bowes): We've seen a base  
17 load increase over the years.

18 MR. UEDA: Right.

19 THE WITNESS (Bowes): We've seen a peak  
20 demand that has spiked in 2013. If you look at  
21 the ISO New England planning criteria, they look  
22 at a probability that that will occur, and then  
23 put that on an annualized basis. They use a 1.2  
24 percent growth rate. We use something a little  
25 bit more conservative than that, 1 percent, based

1 on actual metered data from both the Cos Cob  
2 substation as well as many other surrounding  
3 substations.

4 So we think we have a valid process to  
5 project what the future loads could be, and with  
6 the obligation to serve those loads, we have to  
7 provide a permanent solution.

8 MR. UEDA: Okay. But when I look at  
9 this, I don't see a 1 percent growth rate in the  
10 historical data. You know, if I look at the  
11 actual data, I don't see it.

12 THE WITNESS (Gagnon): Some of that is,  
13 you talked about it, it's being masked by the  
14 temperatures.

15 MR. UEDA: Right, but temperatures will  
16 always vary too. The temperature is not  
17 permanently rising.

18 THE WITNESS (Gagnon): Temperatures,  
19 dew point, all that comes into effect. And what's  
20 happening is you're masking a trend of power  
21 delivery. When you look at how ISO does their  
22 analysis, they do a very detailed analysis. They  
23 normalize the weather. They take that out of the  
24 equation. And they begin to look at what is the  
25 economy, so they can look at the underlying trends



1 that are happening that the actual data masks all  
2 that because weather is so unpredictable.

3 MR. UEDA: Okay. But you can look at  
4 it historically. If you look at 2006, we had a  
5 peak energy usage of 125 megavolt amperes, and it  
6 wasn't until 2012 where that was eclipsed. That  
7 was a long time.

8 THE WITNESS (Bowes): That is correct.

9 MR. UEDA: And so my point is is that  
10 this doesn't show an urgent imminent need which is  
11 I think how you're trying to portray the  
12 substation.

13 THE WITNESS (Bowes): What we're trying  
14 to portray is the need, and we're trying to  
15 project out for future years when that need will  
16 occur. And it could occur next summer. It could  
17 occur --

18 MR. UEDA: It could, but does that mean  
19 it's going to fall in subsequent summers?

20 THE WITNESS (Bowes): It could. It  
21 could occur in several summers beyond that.

22 MR. UEDA: But we don't know. If we  
23 look at history, we can't say that definitively,  
24 nor can we say that probabilistically.

25 THE WITNESS (Bowes): Well, yes, we can

1 probabilistically, and that's what ISO New England  
2 does. They look at a forecast. There's two  
3 different types. One is a 50/50, which means  
4 there's a 50 percent chance it will occur. One is  
5 a 90/10, which means there's a 10 percent chance  
6 it will occur.

7 MR. UEDA: Okay. So but basically what  
8 you're using is trend lines?

9 THE WITNESS (Bowes): We're using  
10 projections based upon actual metered values we  
11 have at Cos Cob and neighboring substations and  
12 comparing that, contrasting it with what ISO New  
13 England does on a much broader or a much more  
14 holistic view, including weather normalization,  
15 including degree days.

16 MR. UEDA: Okay. But I guess the point  
17 is is that that projection was based on 2013.

18 THE WITNESS (Bowes): Our projection is  
19 based on a peak demand in the last five years,  
20 which was 2013.

21 MR. UEDA: And basically we went up  
22 from there, from 1 percent. So basically the  
23 clock has started from 2013, and yet when I look  
24 at 2014 and 2015, the usage actually declined.

25 THE WITNESS (Bowes): Peak demand

1 actually declined. The usage, it only declined by  
2 1 percent in 2014, and 2015 it may actually be  
3 higher.

4 MR. UEDA: So what you're saying is  
5 that the underlying usage has increased by 1  
6 percent?

7 THE WITNESS (Bowes): What I'm saying  
8 is the underlying usage is still there.

9 MR. UEDA: But has it increased by 1  
10 percent because that's what we're assuming?

11 THE WITNESS (Bowes): The usage this  
12 year to date, again, it's more general across  
13 Connecticut, is up about 1.5 percent, so more than  
14 our projection of 1 percent.

15 MR. UEDA: Okay. But what was it in  
16 Greenwich?

17 THE WITNESS (Bowes): I don't have the  
18 specific data for Greenwich. We filed it a year  
19 to date, but until the end of the year, I won't  
20 have the actual usage. Year to date it was  
21 trending at or above previous years. Whether it  
22 will be at one percent, one-and-a-half percent, I  
23 can't answer that.

24 MR. UEDA: Okay.

25 THE WITNESS (Bowes): So the point is

1 is the underlying customer loads are still there.  
2 If we get into a condition of high heat, high  
3 humidity, then there's every expectation the  
4 demand will increase as well. And -- let me  
5 finish. In every projection we have of across,  
6 you know, certainly the country, the region,  
7 possibly more globally, is is that the summer  
8 heating will increase over time. And the climate  
9 is changing to be both hotter in the northeast and  
10 bring more severe weather into the northeast. And  
11 Connecticut has recognized that, and now we have  
12 to accommodate climate change in our  
13 infrastructure improvements.

14 So it's measure data, ISO New England  
15 forecasting, the under base load is still there,  
16 and the future tells us that it's going to be  
17 hotter and more severe in the future.

18 MR. UEDA: Again, these are  
19 projections. When I look at the history, I don't  
20 see it reflected in the history.

21 DR. KLEMENS: Do you believe in global  
22 warming?

23 MR. UEDA: Yes, I do. But what I'm  
24 saying is I also believe in what I see here. I'm  
25 just basically looking at the evidence. And

1 again, you know, if we're basing everything off of  
2 an anomaly, is that necessarily wise?

3 THE WITNESS (Bowes): Well, the anomaly  
4 was the five-day heat wave in 2013.

5 MR. UEDA: Right. And if it is indeed  
6 an anomaly. This is something that you always  
7 plan as being a permanent condition as opposed to  
8 an intermittent one.

9 THE WITNESS (Bowes): Well, every  
10 indication is is that it will happen again, and it  
11 could happen --

12 MR. UEDA: Right. But the issue is  
13 even if it happens again, the question is whether  
14 it happens in successive years and continuously  
15 because that's what a permanent substation is  
16 assuming.

17 THE WITNESS (Bowes): Well, the  
18 permanent substation addresses the capacity issue  
19 for Cos Cob. It also addresses the distribution  
20 reliability issues for the 27-kV system. It also  
21 allows a lot more flexibility in how we operate  
22 the system in Greenwich. With the new 13.2 system  
23 we will be able to provide automatic backups to  
24 essentially all of the customers in Greenwich. So  
25 that's not part of this application, but it allows

1 us the flexibility in the future to operate very  
2 differently than we do today.

3 MR. UEDA: All right. Now let's go to  
4 Question 13. This is, again, I think is -- and  
5 here in your response it seems like the metric  
6 that you're focused on is the cost of adding  
7 additional capacity on a per megavolt ampere  
8 basis. And in my opinion, it really should just  
9 be cost of taking care of any future increase in  
10 energy demand. And I don't think the two are  
11 synonymous.

12 So if it costs us \$50 million to add  
13 another 20 megavolt amps to existing facilities,  
14 even though it might cost more on a per megavolt  
15 amp basis, I think that's a better deal.

16 MS. BARBINO DUBUQUE: Mr. Chairman, I  
17 think this is testimony and not a question.

18 THE CHAIRMAN: Yes. Put it in the form  
19 of a question.

20 MR. UEDA: Okay. So I guess my  
21 question is my belief is that really the correct  
22 metric to evaluate the best project -- to evaluate  
23 the proposal really should not be on a per, what  
24 was the cost of the per megavolt amps, but rather  
25 the cost of the proposal itself, the whole cost.

1 MS. BARBINO DUBUQUE: And the question  
2 again?

3 MR. UEDA: So would you agree with  
4 that?

5 THE WITNESS (Bowes): No.

6 MR. UEDA: Because the example I'm  
7 providing is that if it costs less to add less  
8 capacity, in my opinion that would be a better  
9 deal, but I'm just asking you if you would agree  
10 with that perspective?

11 THE WITNESS (Bowes): So over the past  
12 several years we've done several incremental  
13 projects for about \$35 million to address  
14 immediate reliability or overload needs. We're at  
15 a point now where cost-effective solutions, even  
16 incremental ones, are much more difficult to come  
17 by based on a variety of issues.

18 We're also dealing with a situation  
19 which is both a capacity issue as well as a  
20 reliability issue, capacity on the substation,  
21 reliability on the distribution feeders. We  
22 experienced several interruptions this year in  
23 July on the distribution circuits even though we  
24 didn't hit a peak load in the substation. So  
25 there are multiple needs here beyond just the one

1 of the substation capacity.

2           So I would agree that this measure, you  
3 know, there are probably several other measures  
4 that are equally as good as a dollar per MVA.  
5 It's the reliability improvement that we would get  
6 for the customers of Greenwich. It's the  
7 operational flexibility of being able to provide a  
8 primary distribution circuit, as well as an  
9 alternate distribution circuit on a 13.2 system,  
10 and ultimately begin to retire the 27-kV system  
11 which is a -- it's not a system that we expand  
12 anymore in Connecticut. We're retiring it as we  
13 go forward. So I think there's an obsolescence  
14 infrastructure improvement as well. The Prospect  
15 Street substation is now 80 years old.

16           So there are many other benefits here  
17 that they could be included in this statement  
18 beyond just the dollars per MVA. And some of them  
19 may not have a direct financial impact but would  
20 clearly have a significant reliability, positive  
21 reliability impact to the customers of Greenwich.

22           MR. UEDA: All right. So I guess my  
23 question then is that why like, for instance, you  
24 had mentioned the transmission line issue. Is  
25 that -- why did it fail, the transmission lines in



1 Cos Cob that I guess you had issues with in July?

2 THE WITNESS (Bowes): So there were  
3 three distribution circuits that actually failed  
4 coming from Cos Cob to Prospect. It's in one of  
5 the interrogatories. I think it was from the OCC  
6 who asked that question. In each case in July  
7 there were cable failures. So it's an underground  
8 system. They did not appear to be overloaded, so  
9 it's a question probably more of on the age of the  
10 assets, as well as the previous operating  
11 conditions.

12 Over the years we've had several  
13 emergency overloads of those cables, and in fact  
14 with each one of those failures, each one of the  
15 three we had in July, the remaining cables did go  
16 into their emergency rating, which means they see  
17 a much higher load than is normally acceptable on  
18 those cables, increased temperatures, and then as  
19 the cables cooled down is when we saw the  
20 failures. The subsequent two failures were  
21 actually under light load conditions, probably  
22 indicated by some latent damage it had caused  
23 during the emergency ratings.

24 MR. UEDA: So what has happened to  
25 those cables since?

1 THE WITNESS (Bowes): What is their  
2 operating --

3 MR. UEDA: No. What has happened?  
4 Have they been replaced?

5 THE WITNESS (Bowes): So the sections  
6 that failed, yes, they have been replaced. The  
7 entire asset length of two-plus miles has not been  
8 replaced, only the damaged section.

9 MR. UEDA: So it should perform up to  
10 specification at this point, despite the fact that  
11 it's been repaired partially?

12 THE WITNESS (Bowes): That's our  
13 planning assumption, yes, is that once we install  
14 an asset it has a rating over its lifetime.

15 MR. UEDA: Okay.

16 THE WITNESS (Bowes): So the operating  
17 characteristics may be very different than the  
18 planning assumption.

19 MR. UEDA: Right. But it should meet  
20 its specifications or perform under  
21 specifications?

22 THE WITNESS (Bowes): Correct.

23 MR. UEDA: All right. That will be all  
24 for now.

25 THE CHAIRMAN: Thank you.

1 MR. UEDA: Thank you.

2 THE CHAIRMAN: Let's see who else.  
3 Christine Edwards?

4 CHRISTINE EDWARDS: Thank you all for  
5 the opportunity to come before you as an  
6 intervenor today. I'm Christine Edwards. I'm a  
7 27, almost 28-year, realtor in the Greenwich and  
8 Stamford area. Good to see you again, Mr. Stein.

9 I just want to bring out a number of  
10 things. And if you'll bear with me one moment?

11 (Pause.)

12 MS. EDWARDS: I find it very  
13 interesting that we're looking at the issue of the  
14 500-year floodplain, and we have a mention that  
15 the edge of the property being considered, 10 feet  
16 of it, is in that floodplain, and so it's  
17 perceived as insignificant. At the same time, had  
18 it been required for Eversource to appear, as  
19 every other builder would appear before  
20 Greenwich's zoning and building --

21 THE CHAIRMAN: I think it was 10 feet  
22 from the corner, not 10 feet -- I think you --

23 MS. EDWARDS: I thought it was 10 feet  
24 of the edge of the corner is in the floodplain; is  
25 that not correct? That's what I heard.

1 THE WITNESS (Bowes): That is not  
2 correct.

3 MS. EDWARDS: So it is 10 feet from  
4 that area?

5 THE WITNESS (Bowes): Correct.

6 MS. EDWARDS: So it's a very  
7 insignificant amount. I mean, that's like this  
8 table --

9 THE CHAIRMAN: Well, I just wanted  
10 to correct that --

11 MS. EDWARDS: Thank you for that  
12 because I heard it a little differently.

13 Had any other builder gone before  
14 planning and zoning, inlands wetlands, they would  
15 have had to be looked at very substantially with  
16 what are much more stringent requirements under  
17 Greenwich building, which are far above what most  
18 towns would require. One of those is that the  
19 height to build is greater and requirements  
20 greater than even FEMA maps require. That's in  
21 the information for the planning and zoning and  
22 such.

23 THE CHAIRMAN: Do you --

24 MS. EDWARDS: I'm setting up for a  
25 question.

1 THE CHAIRMAN: Please do.

2 MS. EDWARDS: Okay. Because this is  
3 important to give the background. So the question  
4 falls within that, which is have you looked at  
5 Denise Savageau, who is the conservation  
6 director's information on the not just flooding  
7 but the drainage issues due to impervious surfaces  
8 and such that have been looked at and a big  
9 concern of the downward drainage from the upper  
10 levels of Greenwich coming from not only Greenwich  
11 but Ridgefield and all north counties as it  
12 impacts the water flowing toward the coast and  
13 causing flooding itself beyond the 500-year flood?  
14 So this is a big issue for Greenwich is the  
15 drainage issues.

16 THE CHAIRMAN: Why don't you let him  
17 answer the question.

18 MS. EDWARDS: Well, I'm asking. First  
19 I'm saying that, and now I'd like their answer.  
20 Have you looked at Denise Savageau's information  
21 on that?

22 THE WITNESS (Libertine): I have not  
23 personally, no.

24 MS. EDWARDS: Okay. You're talking  
25 about the different levels of growth. And one of

1 the things that's so surprising here is are you  
2 aware that some of the biggest employers that were  
3 in Greenwich are gone, such as Nestle, such as  
4 Blyth, such as United Rentals, American Tobacco,  
5 Chesebrough-Ponds and such that were very big  
6 employers in the town that are no longer there and  
7 we have a very high vacancy rate in Greenwich; are  
8 you aware of that?

9 THE WITNESS (Bowes): I'm not aware of  
10 the specific customers, but I did note that the  
11 industrial load in Greenwich, as in much of  
12 Connecticut, is either flat or possibly even  
13 declining.

14 MS. EDWARDS: And are you aware that as  
15 the new construction goes in, you're having highly  
16 populated multi-family homes torn down replaced by  
17 often just single-family homes that may be 3,000  
18 square feet but only have three or four residents,  
19 and sometimes only two residents; are you aware of  
20 that?

21 THE WITNESS (Bowes): I am not.

22 MS. EDWARDS: That's a very significant  
23 issue on the population having actually decreased  
24 in Greenwich. We are losing the amount of houses  
25 that we previously had due to gentrification of

1 neighborhoods, particularly in the downtown area.  
2 So you're not aware of that, particularly in the  
3 downtown area, Milbank Avenue, Mason Avenue, where  
4 large multi-families have been torn down and  
5 they're just single-family townhouses now?

6 THE WITNESS (Bowes): I am aware that  
7 there's been a lot of reconstruction in downtown  
8 Greenwich, yes.

9 MS. EDWARDS: But that the population  
10 because of that has not really increased but gone  
11 down?

12 THE WITNESS (Bowes): I am also aware  
13 that the population has remained approximately  
14 stagnant.

15 MS. EDWARDS: It's actually gone down a  
16 number of thousands in Greenwich, and that has  
17 been in one of the interrogatories that I can pull  
18 up. It is actually down.

19 THE WITNESS (Bowes): Our customer base  
20 has not declined in Greenwich.

21 MS. EDWARDS: The number of households  
22 has actually decreased. I will submit that during  
23 our next meeting. But it has actually gone down  
24 because where you previously had ten people living  
25 in three apartments, there's only one to two

1 apartments there and much less population. You  
2 have a movement of people who are uptown in the  
3 suburban area, north area of Greenwich, who want  
4 to stay in Greenwich and want the comfort of being  
5 in a condominium-style gated community often in  
6 the center of town, and so there are fewer people  
7 who are living there, but they're bigger houses.  
8 But they also have, as I would think you'd know --  
9 or I should say, are you aware that the newer  
10 construction has much more energy efficient  
11 electrics, all the wiring and such is much more  
12 energy efficient; would that not be correct?

13 THE WITNESS (Bowes): So certainly the  
14 building codes in Connecticut are much improved  
15 over the decades-old construction methods.

16 MS. EDWARDS: But even looking at  
17 Greenwich --

18 THE CHAIRMAN: Could you let him finish  
19 the answer?

20 MS. EDWARDS: I am letting him. He  
21 paused. I'm sorry.

22 THE WITNESS (Bowes): Just to get a  
23 breath.

24 MS. EDWARDS: Good.

25 THE WITNESS (Bowes): And also the



1 appliances now are much more energy efficient than  
2 they were in the past.

3 MS. EDWARDS: Correct. So we're having  
4 a drop of pull to many of the houses, even if they  
5 have a newer refrigerator, dishwasher, they're  
6 actually greener and using less energy than the  
7 previous multi-family with the older dishwashers,  
8 refrigerators, particularly stoves and such, are  
9 pulling much less on the grid?

10 THE WITNESS (Bowes): That we have not  
11 seen, no. So a variety of new appliances and new  
12 options available for customers that use much more  
13 electricity than the predecessors. I talked about  
14 the appliances that were more efficient, but there  
15 are far more appliances today. Look at the  
16 television screens in this room that stay on all  
17 the time at some level. There are many other  
18 information technology, computer technologies,  
19 server farms in residential homes in Greenwich  
20 that run a much higher energy density than older  
21 construction single-family or multi-family homes.

22 MS. EDWARDS: And yet we're seeing the  
23 opposite when we're doing some of the studies on  
24 that for real estate that in fact because of the  
25 energy efficiency, even with the things that are

1 servers, they are going off line to conserve  
2 energy.

3 THE CHAIRMAN: Are you testifying?

4 MS. EDWARDS: No, I'm making a comment  
5 to his question. I'm answering his question.

6 THE CHAIRMAN: That's not what --

7 MS. EDWARDS: Thank you very much.

8 Okay. Now going back, so you have not  
9 read any of Denise Savageau's discussions on  
10 drainage? Because you're talking about the  
11 floods, but have you looked at any of the drainage  
12 information for flooding issues?

13 THE WITNESS (Boves): I'm sorry, I have  
14 none. I don't know who you're speaking --

15 MS. EDWARDS: She is the head of  
16 conservation for Greenwich.

17 THE WITNESS (Boves): I'm sorry --

18 MS. EDWARDS: The conservation  
19 director. The storm water management is one of  
20 the biggest concerns, so I would think that that  
21 would be of great concern to you.

22 THE WITNESS (Libertine): And it is.  
23 And we have looked at that. And one of the things  
24 I would comment on is that the proposal would  
25 actually lessen the amount of impervious surfaces

1 that are at the site today. So our proposal would  
2 actually --

3 MS. EDWARDS: But that's a small slice  
4 of all of the impervious services. For instance,  
5 they just put a CVS up only blocks away that has  
6 huge impervious surfaces. So it's not just your  
7 site, it's the impact of what's going on in  
8 Greenwich generally.

9 THE WITNESS (Libertine): Right, but  
10 our specific impact --

11 MS. EDWARDS: It's very small in  
12 concern for the other things.

13 THE WITNESS (Libertine): From our  
14 perspective --

15 MS. BARBINO DUBUQUE: I'd like to  
16 object. Could we allow the witness to finish the  
17 answer?

18 THE CHAIRMAN: And then I'd like to ask  
19 a question.

20 THE WITNESS (Libertine): The relevance  
21 here, from our perspective, is that we did look at  
22 storm water management. It is a concern, not only  
23 for Greenwich as a whole, but obviously for the  
24 site and the infrastructure that's going there.  
25 And my only point is, again, that one of the

1 considerations we've had was to reduce the amount  
2 of impervious surfaces so that we would not be  
3 increasing the condition as it existed.

4 THE CHAIRMAN: Excuse me, Dr. Klemens  
5 of the Council would like to ask a question.

6 DR. KLEMENS: I have a question. You  
7 have described the situation down at Milbank, but  
8 I think the 900-pound gorilla that's sitting in  
9 the room in Greenwich is what's happening in the  
10 back country. And I think I'd like someone to  
11 comment on the drivers of some of this  
12 consumption, which when you have a house, 2,000 or  
13 3,000 square foot simple house that is demolished  
14 and houses that are built 10,000, 15,000, 20,000  
15 square feet, I'd like to understand how that  
16 energy consumption is figured into it.

17 Because as I've heard the testimony  
18 today, I've started to wonder, we're putting a  
19 substation in one part of Greenwich, but do you  
20 have data of actually what's happening in the back  
21 country and how much of this is coming out of  
22 these major development that has continued  
23 unabated in Greenwich for decades in the back  
24 country, the replacement of modest houses with  
25 monstrous houses? And I cannot tell you, no

1 matter how energy efficient those houses are, they  
2 must be drawing a huge amount of energy.

3 Do you have any data that has parsed  
4 out between we've talked about downtown Greenwich,  
5 which I'm very familiar with, Pemberwick, Byram,  
6 Milbank, Mason Street, that's whole one world, but  
7 how much of this is being driven by what's  
8 happening in what they call mid and back country  
9 Greenwich, and do you have data, Eversource, that  
10 actually has divided up the sectors and what's  
11 contributing to this demand?

12 And I certainly don't buy into the  
13 arguments -- and maybe you want to comment on  
14 that -- that it's not absolute population growth,  
15 but it's consumption, and where are the  
16 consumption pressure points within Greenwich?

17 THE WITNESS (Bowes): So a lot of  
18 questions there.

19 DR. KLEMENS: I'm sorry, I'm following  
20 the rest of the other people asking large and  
21 complex questions all chained together.

22 MS. EDWARDS: And you actually  
23 anticipated my next question, so I'm happy that  
24 you've asked it.

25 DR. KLEMENS: Well, I'd like to hear

1 it.

2 THE WITNESS (Bowes): So we'll find the  
3 citation at the break. In one of the  
4 interrogatories we talk about the load at North  
5 Greenwich, which is I think responsive to the  
6 first part of your question. We've seen certainly  
7 some reliability issues in that area and have done  
8 several things to make it a more robust design  
9 there both for the substation transformation and  
10 also for the supply to it at the 27-kV system.

11 I think the growth rates we can talk  
12 about that when I come back from lunch, maybe have  
13 the interrogatory, and we can go through that.

14 DR. KLEMENS: Thank you. Because I'm  
15 really getting to a point where putting a  
16 substation in a densely populated, certainly not  
17 by any means the most affluent sections of  
18 Greenwich, and it comes to sort of an  
19 environmental justice issue from my perspective.  
20 Are we asking one part of town to be taking all of  
21 this infrastructure where really the beneficiaries  
22 are really a whole nother part of town?

23 THE WITNESS (Bowes): So the response  
24 in the application is Figure E-2 on page E-10.  
25 It's kind of a color-coded representation of where

1 the load density is. And the load density is  
2 still in the general area where we're proposing  
3 the substation. That's the highest energy  
4 density, highest energy usage.

5           And a second part of this, as we build  
6 the new 13.2-kV substation at the proposed site  
7 for the new Greenwich substation, it will then  
8 have the capability to interconnect with the 13-kV  
9 system of North Greenwich, as well as several  
10 other substations, including Cos Cob.

11           So there's another interrogatory --  
12 I'll get it at the break as well -- that does a  
13 very nice job of showing how the distribution  
14 infrastructure would support itself and the number  
15 of ties that we have between the circuits of North  
16 Greenwich, the new Greenwich substation, and Cos  
17 Cob and ultimately other 13-kV sources inside  
18 Greenwich.

19           So this proposal provides kind of the  
20 basis for operating very differently in Greenwich  
21 for decades to come where we give a much more  
22 reliable service at 13 kV than the residents have  
23 today. And we can then accommodate the load  
24 variations because it's hard to project 30 years  
25 from now whether the load density will be in North

1 Greenwich or whether it will be where the  
2 Greenwich site is to allow us that flexibility in  
3 future decades to accommodate that.

4 DR. KLEMENS: I'm looking at E-2, and  
5 it's very helpful.

6 THE WITNESS (Bowes): There's another  
7 diagram that I'll find at the break. I'm sorry,  
8 Mr. Gagnon has it. It's the response to OCC-058  
9 in the fourth set. And it's a representation of  
10 the Greenwich system and shows that the five  
11 circuits out of North Greenwich now interconnect  
12 with the nine circuits out of the proposed  
13 Greenwich substation to provide that primary and  
14 alternate source that I was talking about, but  
15 also that will allow automatic load transfers.

16 MR. BERGAMO: Could you please recite  
17 that citation again?

18 THE WITNESS (Bowes): It's OCC-058, and  
19 it's actually the attachment that goes with that.  
20 It's a schematic diagram of the 13.2-kV system  
21 that would be the future for Greenwich.

22 DR. KLEMENS: So it's your professional  
23 opinion -- and this is actually -- the benefits of  
24 this are amortized over the entire community, this  
25 isn't just one section of the community that's



1 being asked to bear the effects of consumption of  
2 another?

3 THE WITNESS (Bowes): Yes. I won't  
4 acknowledge the other comment you made about  
5 social justice again because we got into that at  
6 the last hearing, but this really benefits all of  
7 the customers in Greenwich, and you'll see that  
8 very graphically on this that it's really thinking  
9 about the reliability needs for everyone, not just  
10 the population around the proposed Greenwich  
11 substation.

12 DR. KLEMENS: Or the population in the  
13 back country?

14 THE WITNESS (Bowes): Or the population  
15 in the back country.

16 DR. KLEMENS: Thank you. This has been  
17 actually very helpful. I've been trying to sort  
18 this out in my mind with all the different  
19 testimony and the relationship between consumption  
20 versus, you know, raw population growth. So this  
21 helped me greatly. Thank you.

22 THE CHAIRMAN: With that, we're going  
23 to break for lunch. We'll resume at 1:45.

24 (Whereupon, the witnesses were excused  
25 and a recess for lunch was taken at 12:58 p.m.)

## 1 AFTERNOON SESSION

2 1:48 P.M.

3 K E N N E T H B. B O W E S ,

4 R A Y M O N D L. G A G N O N ,

5 J A C Q U E L I N E A. G A R D E L L ,

6 M I C H A E L P. L I B E R T I N E ,

7 having been previously duly sworn, were  
8 examined and testified further on their oaths  
9 as follows:

10 THE CHAIRMAN: We'd like to resume this  
11 hearing.

12 Ms. Edwards.

13 CONTINUED CROSS-EXAMINATION

14 MS. EDWARDS: Thank you.

15 Everyone set? And you can hear me  
16 okay? Thank you.

17 Going back, and again, I thank you so  
18 much for bringing up the issue with Northern  
19 Greenwich, which was the next step to my  
20 discussion, because we have homes in the Central  
21 Greenwich area, maybe 3,000 square feet is a new  
22 townhouse, but what we're seeing up north can be  
23 20,000 square feet or 40,000 square feet. And I'm  
24 sure that the thousand amps that we're talking  
25 about are not being used for 3,000 square foot as

1 much as something with 14 bathrooms and the  
2 facilities that are being built up around North  
3 Street, Simmons Lane and such.

4           So we see as a realtor much more  
5 building that's going up in a grand scale. And as  
6 you said, you're having the people who are selling  
7 their smaller homes, which may be 3,000 or 4,000  
8 square feet, moving down to Milbrook and maybe  
9 summering or wintering in Florida. Then they have  
10 a safe place to go.

11           But one of the questions that I have is  
12 are you aware of the back country expansion of  
13 employment and businesses?

14           THE WITNESS (Bowes): Certainly from  
15 the standpoint of customer load and customer  
16 demand, and responsive to Mr. Klemens's question,  
17 it's OCC-050. There's a data table in there that  
18 shows the load increases at North Greenwich  
19 substation. In 2007 there was a peak demand of  
20 27.2 MVA. In 2015, the peak year, was 36 MVA.

21           MS. EDWARDS: Is this on the Northern  
22 Greenwich?

23           THE WITNESS (Bowes): Yes, this would  
24 be the area that serves Northern Greenwich.

25           MS. EDWARDS: And there's only 5

1 capacity at this point, 5 kil something, what is  
2 it, 5?

3 THE WITNESS (Bowes): No, I was just  
4 saying what the load increase has been. It's been  
5 a 33 percent increase since 2010.

6 MS. EDWARDS: And since that we've had  
7 now Brunswick School has been expanded up there.  
8 And are you aware of Blue Sky Productions which  
9 has almost doubled its employment up there?

10 THE WITNESS (Bowes): I was not aware  
11 of the employment change.

12 MS. EDWARDS: And Tudor Industries  
13 which is a big user as well?

14 THE WITNESS (Bowes): Very familiar  
15 with Brunswick and Tudor.

16 MS. EDWARDS: Now, in order to share  
17 capacity are you looking to put an underground  
18 cable up to the north station?

19 THE WITNESS (Bowes): There actually is  
20 an underground cable now. Two circuits tied  
21 together feed North Greenwich. There's a new  
22 aerial cable that was installed post 2011, the  
23 issues we had, and there's a 27-kV overhead feeder  
24 as well, traditional overhead feeder. So there  
25 are three sources into North Greenwich. There are

1 now three transformers at North Greenwich, each  
2 rated at 25 MVA.

3 So we have a situation where we're  
4 certainly prepared for future load increases at  
5 North Greenwich provided the 27-kV system is  
6 relieved at Cos Cob. It's still all sources from  
7 Cos Cob.

8 MR. ASHTON: There's no 115 kV up in  
9 North Greenwich, is there?

10 THE WITNESS (Bowes): There is not at  
11 this time.

12 MS. EDWARDS: Well, that's interesting  
13 that you say "at this time." What about having  
14 this done in effect opposite and increasing the  
15 size of that facility and feeding that down to the  
16 Central Greenwich area if the cable is already  
17 there?

18 THE WITNESS (Bowes): That is an  
19 alternative. The cable is not there. It's a  
20 distribution cable. It's not a transmission  
21 cable. That is an alternative to this. It's not  
22 the preferred alternative because -- and nor was  
23 it studied as part of this. A future -- and  
24 future we're now talking 20 to 30 years from  
25 now -- that is a possibility. There was always a

1 plan. And I think Mr. Ashton knows this as well.  
2 There was always a plan to bring transmission into  
3 North Greenwich, but that has never materialized  
4 based on the amount of load there.

5 MS. EDWARDS: Given the fact that the  
6 load change can be coming due to much more quickly  
7 north, have you looked at the possibility of doing  
8 that? We're only talking 25 years and we're  
9 having actually decrease of energy for central in  
10 many respects due to the lessening population, the  
11 lessening demand really that's going on. And what  
12 we see, it's not going 135, it's going 115, from a  
13 lot of the research that I've looked at that, in  
14 effect, you're anticipating going up, particularly  
15 in Central Greenwich while, in fact, it's really  
16 having gone down in the last year, not up.

17 THE WITNESS (Boves): It clearly has  
18 gone up in North Greenwich by 2 MVA in the last  
19 year.

20 MS. EDWARDS: That's substantial.

21 THE WITNESS (Boves): It's significant.  
22 And even since 2013, a peak at Cos Cob, it's gone  
23 up 5 MVA. I'm not sure that there won't be  
24 redevelopment in the central and southern part of  
25 Greenwich as well in years to come. So I'm not

1 prepared to say that that load is decreasing. I  
2 think it's much more weather-adjusted issues in  
3 Greenwich as a whole than it is a load decrease in  
4 those areas.

5 MS. EDWARDS: When we look at available  
6 land, number one, we don't have that much  
7 available land to put in housing like they've done  
8 in Stamford and south of I-95, and we don't have  
9 really all that much land to even build in Central  
10 Greenwich. It's more available in Northern  
11 Greenwich around that King Street nexus which is  
12 Tudor Industries.

13 THE CHAIRMAN: I'm getting confused as  
14 to who's asking the question and who's --

15 MS. EDWARDS: Well, I'm coming to the  
16 question now because I have to lay it out before I  
17 then ask the question.

18 If you're seeing that kind of building  
19 availability in the northern part of Greenwich,  
20 wouldn't it be wise to prepare for that now?

21 THE WITNESS (Bowes): We have.

22 MS. EDWARDS: No, by building the  
23 Greenwich northern area rather than downtown.

24 THE WITNESS (Bowes): That's not where  
25 today's load pocket is, nor does it alleviate the

1 27-kV feeder issues we have in Central and  
2 Southern Greenwich. We have prepared well I think  
3 in North Greenwich by adding a third circuit there  
4 and adding the third transformer there. So we are  
5 prepared for certainly the next decade even at  
6 this relatively accelerated load growth of 33  
7 percent in five and a half years.

8 MS. EDWARDS: I live in Cos Cob. I  
9 remember just a few years ago you were really  
10 building and expanding Cos Cob as a center. What  
11 was there before, before you did the expansion in  
12 Cos Cob? That was how many years ago, three, four  
13 years?

14 THE WITNESS (Bowes): We've made a  
15 series of additions at Cos Cob, but the last  
16 transformer capacity addition was 1991.

17 MS. EDWARDS: No, this was just  
18 recently because it went up by about 25 feet, the  
19 whole front edge where it meets the building.  
20 That was all created in just a matter of the last  
21 maybe five years.

22 THE WITNESS (Bowes): That's actually  
23 the NRG generating facilities.

24 MS. EDWARDS: And so that's generating.  
25 Before that was it a generating plant or just a



1 transmission plant?

2 THE WITNESS (Bowes): It's been a  
3 generating facility for as long as I remember,  
4 which is more than 30 years.

5 MR. ASHTON: To clarify that, that  
6 wasn't there. There was a railroad power plant  
7 there at one time, which is gone, long gone, but  
8 there was also gas turbines at the Cos Cob  
9 substation. You're familiar --

10 THE WITNESS (Bowes): Yes, I am aware  
11 of that.

12 MR. ASHTON: And they were installed  
13 somewhere around 1967?

14 THE WITNESS (Bowes): Before my time  
15 but --

16 MR. ASHTON: You were a kid then, but  
17 that's okay.

18 (Laughter.)

19 MS. EDWARDS: But yet they've recently  
20 installed over the last five or six years --

21 MR. ASHTON: Excuse me. Excuse me.  
22 There have been additions subsequent to  
23 that?

24 THE WITNESS (Bowes): Yes, there has.

25 MR. ASHTON: And it's the ladder that

1 you're referring to; is that correct?

2 THE WITNESS (Bowes): Yes, and I  
3 believe a sound wall as well.

4 So there's many uses of the Cos Cob  
5 site. There's the railroad substation, there's a  
6 shared substation with Metro-North and Eversource,  
7 there's the Eversource substation, and there's the  
8 NRG generating station. So there's multiple uses  
9 at that one property, and there had been lots of  
10 changes over the years. In fact, I think probably  
11 the last capacity addition was actually for  
12 Metro-North substation in January of 2014.

13 MS. EDWARDS: Since it's serving  
14 Metro-North, couldn't that be put anywhere along  
15 the line, including Stamford, and pull that and  
16 give us 25 percent more usage to go downtown?

17 THE WITNESS (Bowes): So the issue is  
18 Metro-North -- and the property is owned by the  
19 State of Connecticut -- they view the Cos Cob  
20 location as very critical to their infrastructure  
21 as the last station between Connecticut and the  
22 New York border. And I don't believe they have  
23 any plans to relocate the Cos Cob substation, but  
24 that should be redirected or directed CDOT, not to  
25 Eversource.

1           MS. EDWARDS: I'm just asking this as a  
2 question for practicality. If 25 percent of the  
3 usage of the Cos Cob is being directed toward  
4 Metro-North, if that moves to the previous one, if  
5 it goes to Stamford where you also have capacity,  
6 then you allow for 25 percent more usage pretty  
7 much now than what you use for downtown Greenwich;  
8 would it not?

9           THE WITNESS (Bowes): It's a little bit  
10 different. It's about 10 percent, and it's off  
11 the transmission system. It's not actually out of  
12 the Cos Cob substation.

13           MS. EDWARDS: But yet I remember 25  
14 percent in the Greenwich Library was the number  
15 that was given to the public. I'll pull that up  
16 for our next meeting.

17           THE WITNESS (Bowes): I don't recall  
18 that.

19           MS. EDWARDS: Because that was very  
20 clear that 25 percent. And then we were not told  
21 who else was using that power generation, just  
22 that there were, quote, some companies, unquote.  
23 Can you tell us what those companies are?

24           THE WITNESS (Bowes): So again, I think  
25 you're mixing terms. So the generation there is

1 owned by NRG, and it's available for peak load  
2 conditions. It's not normally operating, so no  
3 one is really using that generation.

4 MS. EDWARDS: So NRG is not part of  
5 your company?

6 THE WITNESS (Bowes): They are not.

7 MS. EDWARDS: They're not part, but yet  
8 you use, and therefore you're pulling in effect  
9 power from them, and you're paying for that; is  
10 that correct?

11 THE WITNESS (Bowes): They are a  
12 generator interconnected to our system. The  
13 payment would probably not be directly to CL&P.  
14 It would be through the ISO markets.

15 MS. EDWARDS: What does that mean? I  
16 don't understand.

17 THE WITNESS (Bowes): ISO has gone to a  
18 competitive energy market where generators are not  
19 regulated in the same way they used to be. They  
20 bid into the market, and people buy on the spot  
21 market, if needed, or they buy long-term  
22 contracts. I do not believe Eversource has a  
23 long-term contract with NRG for use of that  
24 generating facility.

25 MS. EDWARDS: Do they pay you a rental

1 fee for that space because they're obviously  
2 taking up a footprint?

3 THE CHAIRMAN: Is there relevance to  
4 this?

5 MS. EDWARDS: Well, yes, because we're  
6 looking at if he has energy and it's being used.  
7 And it would seem to me to be cheaper to use  
8 something and buy into that market than to try and  
9 buy a spot market because it's already there, and  
10 therefore the cost could be less and the service  
11 for Greenwich downtown would be better.

12 THE WITNESS (Bowes): I'm told that --

13 MS. EDWARDS: It's a reasonableness.

14 THE WITNESS (Bowes): I'm told that we  
15 do not own the property that NRG has their  
16 generating facility on, so there would be no  
17 reason for a rental agreement.

18 MS. EDWARDS: So the Cos Cob plant,  
19 that footprint, is not owned by Eversource?

20 THE WITNESS (Bowes): That is correct,  
21 it is not.

22 MS. EDWARDS: It's interesting. One  
23 question I have is: Where is Connecticut in terms  
24 of the expense of electricity as compared to the  
25 rest of the country, the cost for our electricity

1 here, where do we tag in?

2 THE WITNESS (Bowes): The all-in cost,  
3 I believe, is one of the highest in the country.

4 MS. EDWARDS: Isn't it something like  
5 probably the second highest in the whole country?  
6 I think only Hawaii is maybe more.

7 THE WITNESS (Bowes): No, I think  
8 that's probably somewhat dated, but I think we're  
9 in clearly the top 10 percent of the states.

10 MS. EDWARDS: And how does Eversource  
11 make its money?

12 THE CHAIRMAN: Excuse me --

13 MS. BARBINO DUBUQUE: I --

14 MS. EDWARDS: I have a very strong  
15 question for this.

16 MS. BARBINO DUBUQUE: I don't think  
17 that this is -- I'm going to object about this  
18 line of questioning. The application is about a  
19 very specific project. And to the extent we're  
20 talking about the project, that's fine, but I  
21 think now it's becoming very irrelevant to our  
22 application.

23 THE CHAIRMAN: I'm going to sustain the  
24 objection. And we're talking about a specific  
25 project. Please have your questions targeted to

1 the specific project.

2 MS. EDWARDS: Well, this was actually  
3 leading to a secondary issue.

4 THE CHAIRMAN: None of the leading.  
5 Just ask the question now.

6 MS. EDWARDS: Is it true that you make  
7 money at Eversource by selling the transmission of  
8 energy?

9 MS. BARBINO DUBUQUE: I'm going to  
10 object again as to how relevant this is to our  
11 project.

12 MS. EDWARDS: It's the cost of the  
13 energy to the public. That's a very important  
14 question when we're looking to spend \$140 million  
15 that is going to be paid for by ratepayers. It's  
16 a very reasonable question.

17 MS. BARBINO DUBUQUE: Mr. Chairman, I  
18 would submit that that would probably be properly  
19 in the realm of PURA and the rate cases and those  
20 kinds of things and not here when we're talking  
21 about a specific project.

22 THE CHAIRMAN: I'm going to sustain  
23 that objection. There are other venues where you  
24 can ask that question.

25 MS. EDWARDS: I'm just asking that

1 because it goes to the question of the \$140  
2 million cost, and that's something that has to be  
3 borne by the ratepayers. And I really feel that  
4 that's an important issue when we're looking at  
5 spending that money to increase capacity that may  
6 be there at another venue at less money.

7 THE CHAIRMAN: Well, you've asked  
8 questions about how we can develop the project in  
9 a more economical way are legitimate questions,  
10 but questions relating to the overall pricing and  
11 revenue of Eversource are not germane.

12 MS. EDWARDS: Then I'll find another  
13 way to ask that at a future time that I think  
14 might have some relevance there.

15 When you looked at developing this  
16 particular project, did you look to what the  
17 neighborhood and the values of the neighborhood  
18 were?

19 THE WITNESS (Bowes): Property values,  
20 no; but usage, yes.

21 MS. EDWARDS: And did you note that  
22 this was a gentrification area, upscale  
23 restaurants going in, million-dollar condos within  
24 a block?

25 THE WITNESS (Bowes): I guess I'm not



1 that familiar with the terminology you're using  
2 around "upscale" and other adjectives. I mean,  
3 it's Greenwich, so there's a lot of very affluent  
4 people and a lot of very affluent businesses in  
5 Greenwich. I clearly recognize that.

6 MS. EDWARDS: But we've also had that  
7 situation where what was formerly a concrete  
8 mixing plant is now a \$100 million building as an  
9 example. Down the street from here are you aware  
10 that a building just a block and a half away sold  
11 for over 30 million?

12 THE WITNESS (Bowes): It wouldn't  
13 surprise me, but I'm not specifically aware of it.

14 MS. EDWARDS: So you're in a situation  
15 where the particular location you want is bound,  
16 if you will, on the eastern side by quite upscale  
17 restaurants and businesses, so your potential to  
18 do any expansion there after you would build this  
19 is really very very limited?

20 THE WITNESS (Bowes): Is that a  
21 question?

22 MS. EDWARDS: That's a question, yes.  
23 Because often you're looking to have a place which  
24 you could expand from.

25 THE WITNESS (Bowes): Yes, I think the

1 proposal we have allows us some flexibility in the  
2 future for an interconnection of a third  
3 transmission line, which would clearly allow  
4 expansion in the Greenwich area if the load were  
5 ever to materialize.

6 MS. EDWARDS: I'm looking in expansion  
7 from size of your original place that you're at  
8 now would you look to expand the footprint?

9 THE WITNESS (Bowes): Probably not.  
10 And I think we could probably also look at  
11 increased transformer capacity in the future,  
12 again, we're talking decades from now, if needed.

13 MS. EDWARDS: Have you looked at the  
14 shift in what the technology is to things like  
15 Bloom Boxes and other battery-like self  
16 stand-alone facilities that are beginning to enter  
17 the market for commercial and then residential  
18 where you could replace your whole connection with  
19 something the size of an air conditioner?

20 THE WITNESS (Bowes): Yes, I'm very  
21 familiar with that technology. In fact, Bloom  
22 Energy is one of the -- has targeted Connecticut,  
23 and we have several installations of fuel cells  
24 from Bloom. There are many other manufacturers,  
25 some local to the state as well, that we've

1 encouraged over the years, both with research and  
2 development, as well as with certainly with the  
3 interconnection of customers. So we routinely  
4 interconnect distributed generation systems,  
5 including the fuel cell technology you're talking  
6 about.

7 MS. EDWARDS: So when you have houses  
8 that can be 20,000 square feet and with one of the  
9 highest costs of electricity in the whole United  
10 States, can you see that that could mean a shift  
11 away from your traditional grid-style electricity  
12 to people having independent Bloom Boxes for their  
13 houses just off the grid, have you looked at that  
14 as your model moves forward in time?

15 THE WITNESS (Boves): We've certainly  
16 looked at the loss of demand, loss of  
17 kilowatt-hour sales to distributed generation like  
18 the Bloom Box. In fact, in our last rate case we  
19 now have what's called lost space revenues so that  
20 every customer that exits the system there's an  
21 estimate made of their usage, and that's collected  
22 from the remaining customers.

23 MS. EDWARDS: So increasing the cost to  
24 everybody else; is that correct?

25 THE WITNESS (Boves): That is correct.

1 MS. EDWARDS: Boy.

2 THE WITNESS (Bowes): The public policy  
3 of the State of Connecticut is to promote  
4 distributed generation, and we are an advocate for  
5 that public policy. There's approximately \$1  
6 billion in solar incentives that are presently  
7 being expanded through use of the Green Bank, and  
8 Eversource is an active partner with that. We  
9 have actually worked with the Green Bank to target  
10 certain towns in the state. Greenwich was a town  
11 in 2013 that was targeted by the Green Bank, and  
12 the participation rate was very modest. I don't  
13 know the totality of the reasons, but probably  
14 because of the application and the size of solar  
15 units that would be needed for supporting the size  
16 of the customer load.

17 So we're very much an advocate for  
18 distributed generation as long as the revenue  
19 requirements are met. And we support the public  
20 policy of the State of Connecticut in that regard.

21 MS. EDWARDS: So as the panel-style  
22 solar can get replaced by the thin -- I'm trying  
23 to remember what it's called -- the thin-set  
24 solar, which is like roll-out roofs and solar  
25 cells, the cost will go down for both installation

1 and the cost of the facility. So you, as time  
2 goes on, if prices for our electricity in  
3 Connecticut continue to increase, then do you see  
4 more people going to solar, in particularly the  
5 thin set, which is just like a shingle? It's not  
6 like a big panel which requires a much different  
7 look.

8 THE WITNESS (Bowes): I certainly see  
9 the expansion of various types of distributed  
10 generation in the future. The particular  
11 technology you're talking about may or may not be  
12 a viable one in the future, but others certainly  
13 will be.

14 The one thing I'll note for all of the  
15 customers that have distributed generation now in  
16 Connecticut, they're all still interconnected to  
17 our system, and they all still take delivery of  
18 service from Eversource. The solar customers  
19 typically sell back to us --

20 MS. EDWARDS: That's my question.

21 THE WITNESS (Bowes): -- for a few  
22 hours a day and receive service from us 18 to 20  
23 hours per day. So it's a give-and-take that is a  
24 balance. No customers have actually said that we  
25 no longer want service from Eversource.

1           MS. EDWARDS: But as batteries improve  
2 in their facility and capabilities, then there  
3 could be a natural drop off. And again, as you  
4 have more solar and maybe more wind come in and  
5 self system, you will find it hard, I think, to be  
6 able to sustain one of the most expensive  
7 electrical systems on a ratepayer basis making  
8 Connecticut even more unlikely to develop  
9 businesses coming in. This is what we're seeing  
10 with GE and other companies, we're getting too  
11 expensive. And do you see this as a problem for  
12 our businesses, your price goes up as solar and  
13 other energies come into the system?

14           THE WITNESS (Bowes): Clearly the cost  
15 of energy is one of the factors, especially for  
16 industrial customers, in the State of Connecticut.  
17 There will be increased pressure on rates going  
18 forward driven by many things. You indicated  
19 there was the delivery portion of the bill that is  
20 the driver of this. It is not. The delivery  
21 portion of the bill, especially distribution  
22 rates, are very competitive across the country.  
23 We're not the lowest cost provider for many  
24 reasons, but we're clearly not the highest cost  
25 provider on the delivery portion of the bill.

1           There are many other portions or many  
2 other things that the State of Connecticut chooses  
3 to do with the electric bill, gross receipts,  
4 gross earnings tax, for example. There are  
5 property taxes included in that, again, some of  
6 the highest in the country as well. Some of our  
7 public policies around energy efficiency, around  
8 distributed generation also contribute to the  
9 customer's bill.

10           So there's many facets to that. And  
11 probably the number one issue is is the ability of  
12 generation at certain periods of the day and  
13 certain periods of the year. So we are very  
14 dependent upon natural gas and the changes in  
15 natural gas pricing for the largest portion of the  
16 bill, which is the energy component, not the  
17 delivery component.

18           MS. EDWARDS: And yet those prices have  
19 gone down, as oil prices have gone down, and I  
20 don't see my bill going down, so how do we justify  
21 that?

22           THE WITNESS (Bowes): Well, I know  
23 certainly I can speak for the standard offer for  
24 Eversource Connecticut is it did go down  
25 dramatically, as compared to last winter. I think

1 it's down in the 9.6-cent range versus well over  
2 12-and-a-half cents last year. So there's a  
3 significant reduction year over year, and a lot of  
4 it's based upon the natural gas supply and also on  
5 other factors that will continue to evolve over  
6 the next few years. But natural gas supply and  
7 its use for generation is probably a much more  
8 important issue to deal with as far as maintaining  
9 customer bills.

10 MS. EDWARDS: Going back to a question  
11 brought up by -- I'm sorry, I can't see your name  
12 to the far end -- I think when you were here at  
13 the last meeting you mentioned that it was  
14 frequently one of the responsibilities for  
15 electric, as an example, to encourage people  
16 perhaps who are in an all-electric home but maybe  
17 in a gas provided area to look at savings that can  
18 be generated by going to gas. And I'm wondering  
19 if you've done anything in the recent time to  
20 encourage because gas prices are so reasonable as  
21 against my clients who are dealing with all  
22 electric houses, are you doing anymore substantial  
23 advertising or public service announcements to go  
24 to gas?

25 THE WITNESS (Bowes): We are. Both



1 Eversource, as well as UIL, have active gas  
2 expansion programs in the state to bring  
3 distribution of natural gas to more and more  
4 customers. As a response to one of the  
5 interrogatories -- it's a supplemental prefile  
6 testimony, I'm sorry -- is that it was asked in  
7 the last hearing around what Eversource and the  
8 gas company in Greenwich do.

9 MS. EDWARDS: Yes, that was I think the  
10 question.

11 THE WITNESS (Bowes): Connecticut  
12 Natural Gas, and it serves Greenwich, and  
13 Eversource serves the electric. So we have done  
14 some joint marketing to customers in Greenwich to  
15 talk about the various programs that we can offer  
16 together under the Energize Connecticut kind of  
17 marketing and banner program. We're an advocate  
18 of that. We support that. And our energy  
19 efficiency programs are well known by customers  
20 and used by some.

21 MS. EDWARDS: Thank you. But that  
22 comes back to my previous question which is as  
23 people move to gas, and as my customers find,  
24 they'll gladly go into the gas furnace versus  
25 their electric cost, dig up the street, put the

1 connection in to save. That means you're losing  
2 customers on the electric. And as I'm seeing this  
3 roll forward, I can't see any growth necessary  
4 when we're seeing a shift in all the technology  
5 regarding the heating of our homes, our  
6 self-sufficiency increasing and where solar has  
7 not necessarily been to the results that you had  
8 hoped it to be. It's still moving forward with  
9 people that I know buying houses today, they're  
10 looking straight for that.

11           So we come back to why would we have  
12 such an expense of spending 140 million in a town  
13 where we're having less usage and a town that's  
14 upscale enough to be able to go entirely off the  
15 grid and buy individual Bloom Boxes, as they  
16 become available in the residential market, that  
17 maybe what you're looking forward to is based on  
18 old information and old technology and not really  
19 living what the new technology is bringing us;  
20 have you really had a think tank on this?

21           THE WITNESS (Bowes): So as I said  
22 before, we clearly see the changing environment  
23 out there. ISO New England factors both the  
24 energy efficiency, as well as the solar forecast  
25 into their compounded growth rates, and they're

1 still projecting a 1.2 percent increase. We are a  
2 little bit more modest than that at 1 percent.  
3 And we've seen, again, the issues in Greenwich are  
4 really driven by the amount of new houses going  
5 in, the subdivisions going in, and the changeover  
6 from or to much larger homes. So I'm not sure  
7 that energy efficiency or solar will mitigate  
8 those impacts going forward.

9 MS. EDWARDS: But that's still going to  
10 the northern. We're not having enough land in the  
11 central part to have developments. It's not like  
12 Stamford that has more land than we do and at a  
13 much more reasonable rate. So you're seeing that  
14 in the higher space houses, which as a realtor,  
15 just to let you know, if somebody comes in looking  
16 for a \$6 million house, they're buying it, and  
17 they're buying it cash, and the less expensive  
18 houses are going to, again, cash bidders for  
19 400,000 with 20 people putting their bid in. And  
20 there's a section in the middle that isn't moving,  
21 which is generally what our market has been, like  
22 a 1.8 to 2.5, in that range, is more static.

23 MR. ASHTON: Is there a question?

24 MS. EDWARDS: There is a question which  
25 is that, again, we're coming back to the area

1 where this development is is north, and it seems  
2 like that would be a more appropriate place to put  
3 it, which is my question. Why would you not make  
4 more of a space available and build your expansion  
5 in the north of Greenwich given the bigger houses?

6 THE CHAIRMAN: You've asked that before  
7 and you --

8 MS. EDWARDS: I've asked it, but I  
9 don't think it's fully answered.

10 THE CHAIRMAN: You didn't like the  
11 answer, maybe, but they have answered. I mean, I  
12 don't know, unless you want to elaborate on your  
13 answer; otherwise, I think we should go on.

14 MS. EDWARDS: Well, going on,  
15 particularly is when you're looking at putting in  
16 what is a very industrial-style building and  
17 industrial usage right in the middle of a  
18 gentrified area, gentrified meaning going from  
19 what was 80 years ago, 50 years ago, just raw land  
20 and commercial usage, to beautiful restaurants,  
21 million-dollar condos, all within a block or two.

22 Can you see the impact that this could  
23 have on the price value and the ability for people  
24 to even sell their houses when down the street is  
25 something that really is an eyesore?

1 MS. BARBINO DUBUQUE: I would like to  
2 just object because I do not think our witness is  
3 qualified to assess what the market values are,  
4 someone selling their home, and so forth. I  
5 think, once again, that we have filed an  
6 application for a project with supporting  
7 information, and that is not within the realm of  
8 proper cross-examination.

9 THE CHAIRMAN: I mean, the question --

10 MS. EDWARDS: I --

11 THE CHAIRMAN: Excuse me. The question  
12 is okay, but if your witnesses don't have the  
13 expertise to answer, why don't you just say that,  
14 and that's not a problem. If you don't feel  
15 qualified to answer, you have a right to say  
16 you're not qualified.

17 THE WITNESS (Boves): I think I'll pass  
18 on the response. I'm not really qualified to talk  
19 about property values.

20 MS. EDWARDS: And I can understand that  
21 because you're not a realtor, I am, but I would  
22 think that when you do due diligence to do a  
23 project of this scope and this impact on this --

24 THE CHAIRMAN: I think they --

25 MS. EDWARDS: This is my question --

1 would you not seek out that expertise to be able  
2 to see how you're impacting as a neighbor in that  
3 community? I think that's a very viable question  
4 to ask to have due diligence.

5 THE CHAIRMAN: They've answered that in  
6 other -- but you can certainly answer it again.

7 THE WITNESS (Bowes): I have nothing  
8 further to add. Thank you.

9 MS. EDWARDS: One more question I have,  
10 only one more. This is just a question with  
11 regard to the 500-year floodplain, again, which I  
12 was asking just when we were breaking. A lot of  
13 the maps that have been done and are assessing  
14 what a 500-year floodplain is going to be are  
15 being perceived as not accurate, that indeed  
16 everything from sea rise to land shrinkage as  
17 water is taken out and the lands are actually  
18 collapsing.

19 The big question I have is if you rely  
20 on the fact that this is outside of the 500-year  
21 floodplain, and we've spoken or mentioned the fact  
22 that we have drainage issues, particularly in that  
23 area with a hill running right down Field Point  
24 Road right to this area, and just a block and a  
25 half away coastal areas where we have water

1 intrusion right where the Boys and Girls Club is  
2 and the Greenwich Harbor and the wastewater  
3 treatment center, just a matter of two blocks  
4 away, would it not be prudent to very much  
5 consider that maybe this isn't the right place to  
6 put it, even on this issue of water intrusion?

7 THE WITNESS (Bowes): Mike, do you have  
8 any comments on that?

9 THE WITNESS (Libertine): I guess I  
10 might question the premise that these are not  
11 accurate. These are designated areas that have  
12 been studied and they're updated on a regular  
13 basis. And granted, the zones can change over  
14 time; but again, we're talking about an area that,  
15 to the best of our knowledge, is outside of any of  
16 these what we'll call sensitive areas. It's one  
17 of the reasons we chose this particular site. You  
18 know, the fact is that there's going to be  
19 shifting lines over time. This has not changed  
20 significantly over time in terms of the edge of  
21 the flood zone, and it's just -- it is an  
22 appropriate place for a number of reasons.

23 The 500-year floodplain is one of the  
24 considerations. We look at several environmental,  
25 technical, real estate, a myriad of potential

1 characteristics on the site. So this is just one  
2 of them. We're confident that this particular  
3 site for what we know today is fine. There are  
4 several facilities that I'm aware of that are in  
5 areas that are susceptible to flooding, and rather  
6 than move them because they can't, they've had to  
7 do substantial infrastructure improvements to make  
8 sure that those threats are abated to the best of  
9 their abilities. But in this case we're fairly  
10 confident that there is not going to be that type  
11 of a catastrophic issue. And again, we can't  
12 predict the future, but for what we know today,  
13 we're above the base flood elevations of those  
14 known flood hazards.

15 MS. EDWARDS: And this is again my  
16 question. Have you sought to speak to Denise  
17 Savageau who really has a handle on this and how  
18 the flooding impact is inaccurate, according to  
19 what the FEMA maps are, even right now, have you  
20 spoken to her at all?

21 MS. BARBINO DUBUQUE: Mr. Chairman, I  
22 believe we answered the question before.

23 THE CHAIRMAN: That has been asked and  
24 answered.

25 MS. EDWARDS: Thank you. Okay. Then



1 right now I'm finished, but I reserve the right to  
2 come back for the next meeting because I have some  
3 things that I've been looking at.

4 THE CHAIRMAN: We have our own  
5 schedule.

6 MS. EDWARDS: I understand.

7 THE CHAIRMAN: Dr. Klemens.

8 MR. KLEMENS: One question about the  
9 flood, the 500-year flood, what's the 500-year  
10 flood elevation there, elevation? Do you have a  
11 topographic?

12 THE WITNESS (Libertine): I'm going to  
13 have to dig that out. We do have that. I don't  
14 have it with me, but I can get you that.

15 MR. KLEMENS: Great. And the other  
16 thing is I'd like to know, there's a 500-year  
17 flood topographic benchmark elevation. I'd also  
18 like to know the actual topographic benchmark  
19 elevation of actually the sensitive infrastructure  
20 in that proposed building because I imagine that  
21 is going to be higher. So those are two different  
22 things.

23 THE WITNESS (Libertine): Absolutely.

24 MR. KLEMENS: Thank you.

25 MS. EDWARDS: Thank you very much for

1 your time.

2 THE CHAIRMAN: Thank you.

3 The next would be Richard Granoff.

4 (No response.)

5 THE CHAIRMAN: And we have the group  
6 intervenors, which include Bella Nonna Restaurant  
7 & Pizzeria, the Greenwich Chiropractic &  
8 Nutrition, Joel Paul Berger and Meg Glass. Do you  
9 have a representative of that group?

10 (No response.)

11 THE CHAIRMAN: Cecilia Morgan?

12 (No response.)

13 THE CHAIRMAN: I guess now we'll go  
14 back to the Council and start with the Council  
15 staff, Mr. Mercier.

16 MR. MERCIER: Thank you. Give me a  
17 moment.

18 (Pause.)

19 RICHARD GRANOFF: Excuse me, I'm with  
20 Granoff Architects. I'd like to say a few words.

21 THE CHAIRMAN: Excuse me?

22 MR. GRANOFF: I'm one of the  
23 intervenors, Rich Granoff. I'd like to speak for  
24 a second.

25 THE CHAIRMAN: This is

1 cross-examination. So you're here to --

2 MR. GRANOFF: Ask a couple of  
3 questions.

4 THE CHAIRMAN: Okay. That's why I  
5 asked you to come up.

6 MR. GRANOFF: Good afternoon, Rich  
7 Granoff. I'm the proprietor of Granoff  
8 Architects, and I am also the contract entity for  
9 330 Railroad Avenue from Eversource Energy.

10 Just a few questions related to the  
11 proposed architecture of the substation at 330  
12 Railroad Avenue and what the applicant proposes to  
13 do about improving the quality of the architecture  
14 based on the strong objection of the Greenwich  
15 Architectural Review Board and Planning  
16 Commission.

17 MR. ASHTON: What's the question?

18 MR. GRANOFF: The question is what does  
19 Eversource plan on doing to improve the quality of  
20 their design of the proposed substation at the  
21 site, if anything?

22 THE WITNESS (Gagnon): Well, we've  
23 worked with the town. We took some of their input  
24 into the town, and what we put in the application  
25 is pretty much what we are proposing to move

1 forward with.

2 MR. GRANOFF: So no further provisions  
3 or improvements to that design at this time?

4 THE WITNESS (Gagnon): At this time.

5 MR. GRANOFF: Okay. And even if the  
6 Greenwich Architectural Review Board strongly  
7 opposes it at the next go-around, at that point  
8 will you consider improving the quality of the  
9 architecture and design?

10 MS. BARBINO DUBUQUE: Mr. Chairman, I  
11 would just like to make note here that there is no  
12 next go-around. The project is before the Siting  
13 Council now.

14 MR. GRANOFF: So you plan on ignoring  
15 the strong opposition from the residents of the  
16 Town of Greenwich on the proposed aesthetics of  
17 the substation?

18 THE WITNESS (Gagnon): We're working  
19 through the Siting Council process. If you have  
20 comments, we would like to listen to those  
21 comments, we would consider those comments in our  
22 design, but at the moment the proposed design is  
23 what we're moving forward.

24 MR. GRANOFF: Okay. Thank you.

25 There's been a lot of discussion about

1 the proposed new substation at 290 Railroad  
2 Avenue. I have not heard anything or read  
3 anything about what is proposed to happen to the  
4 existing substation at Prospect Place, at 330  
5 Railroad Avenue after the new substation is  
6 commissioned. So what are the plans for the  
7 existing substation at 330 Railroad or Prospect  
8 Place?

9 THE WITNESS (Bowes): We have actually  
10 discussed it. I think it was at the previous  
11 hearing, but I can at least summarize it.

12 MR. GRANOFF: I'd appreciate that.  
13 Thank you.

14 THE WITNESS (Bowes): We plan to remove  
15 the substation transformers -- I think there's  
16 four of them -- the switch gear, and most of the  
17 other equipment. There would remain a small  
18 switching area where we would interconnect the 27  
19 kV that feeds the underground network.

20 MR. GRANOFF: Is there a plan of that,  
21 a schematic plan of that proposal anywhere?

22 THE WITNESS (Bowes): Not that I'm  
23 aware of, but we could certainly provide one or a  
24 future rendition of what it would look like.

25 MR. GRANOFF: Great.

1           MR. ASHTON: Wasn't there direct  
2 testimony on that?

3           THE WITNESS (Bowes): There was.

4           MR. ASHTON: So that is in the record  
5 already. And if my understanding of the law is  
6 correct, you don't have to go before the Siting  
7 Council to implement that; is that correct?

8           THE WITNESS (Bowes): That is correct.

9           MR. ASHTON: Thank you.

10          THE WITNESS (Bowes): Below 69 kV, and  
11 there's no jurisdiction, that I'm aware of, of the  
12 Siting Council. But we could still provide it. I  
13 don't think it would be very difficult to do.

14          MR. GRANOFF: Thank you. I have no  
15 further questions.

16          THE CHAIRMAN: Thank you.

17          Okay. We'll start again with staff of  
18 the Council, Mr. Mercier.

19          MR. MERCIER: I just have a quick  
20 question regarding a Pet Pantry response that was  
21 in the November 30th filing. It's Number 9.  
22 Basically it just talks about inconsistent soils  
23 that could be encountered. I just want to know  
24 what would be an inconsistent soil you may  
25 encounter during excavation?

1           THE WITNESS (Gagnon): I think where  
2 this question was going is just that it's pretty  
3 much inconsistent like you do your original  
4 borings, you expect what you find, and then when  
5 you start digging you discover something else that  
6 is a little different than what your engineering  
7 plan called for, so that would be the inconsistent  
8 soil type thing.

9           MR. MERCIER: So essentially it's an  
10 engineering change in the field based on  
11 conditions that you encounter?

12           THE WITNESS (Gagnon): Yes.

13           MR. MERCIER: Thank you.

14           I'll spend the rest of my questions on  
15 Exhibit 34. That is the November 25th submission,  
16 Late-Filed Exhibit LF-003. This has to do with  
17 the overhead preliminary design that was developed  
18 based on questions at the previous hearing.

19           On page 1 of the response in the third  
20 paragraph it talks about different conductor  
21 sizes. It says the overhead will use a 556 ACSS  
22 conductor rather than the larger and heavier 1590  
23 ACSS conductor that was proposed for underground.  
24 Could you please describe the differences between  
25 the two?

1           THE WITNESS (Gagnon): Yes. This third  
2 paragraph here it says "556 ACSS." What they're  
3 missing is kcmil. That's the actual conductor  
4 diameter size, and that is a smaller conductor  
5 than the referenced 1590 ACSS here kcmil. But  
6 both of those conductors are overhead conductors.  
7 What this paragraph is describing is our typical  
8 standard is to use 1590 on 115 overhead kV lines,  
9 and we were using a much smaller conductor to do a  
10 lighter less-costly construction.

11           MR. MERCIER: How would using the  
12 smaller conductor affect the actual delivery of  
13 electricity to the proposed substation?

14           THE WITNESS (Gagnon): The smaller size  
15 conductor does limit the amount of power that can  
16 be transmitted across the line. I believe a  
17 single circuit of 556 would be 267 MVA.

18           And Mr. Bowes pointed out that for the  
19 substation need we just at this point need 134 MVA  
20 is the requirement for the substation. So one  
21 circuit handles the capacity for the substation.

22           MR. MERCIER: Thank you.

23           Farther down that paragraph the term  
24 "conductor blow out" is used. Can you please  
25 describe what that is?



1           THE WITNESS (Gagnon): Yes. The  
2 conductor blow out is kind of deceiving, but what  
3 it really is is you have two structures with a  
4 span of wire in between. And as the wind blows on  
5 the wire as it's in the looping, that loop will  
6 tend to go out of the center line, and we call  
7 that blow out. So the distance it goes from the  
8 center line out is what we call a blow out.

9           MR. MERCIER: Thank you.

10           Farther along in this first page  
11 there's a mention that a license will be required  
12 from Metro-North Railroad to do any of these  
13 potential options. What actually is the license?

14           THE WITNESS (Gagnon): It's basically  
15 like a permit, a paid permit that you get from the  
16 railroad.

17           MR. MERCIER: Is there any case where a  
18 license or a permit for that matter would be  
19 denied by the railroad?

20           THE WITNESS (Gagnon): It could be. I  
21 mean, it could be. But we have talked to CDOT,  
22 CDOT Rails on this, and the designs that we have  
23 incorporated here, they gave us design criteria to  
24 work with. And we showed them a couple of our  
25 alternatives, and they have supported what we're

1 trying to do.

2 MR. MERCIER: So there would be no --  
3 potentially at this point no problem obtaining a  
4 license?

5 THE WITNESS (Gagnon): We don't believe  
6 so.

7 MR. MERCIER: Thank you.

8 Regarding the Segment 1 description on  
9 page 2 of the response, in the fourth paragraph it  
10 talks about a transition from underground to  
11 overhead. I believe that's from leaving the  
12 existing substation and transitioning to overhead  
13 line. What amount of space is necessary for such  
14 a transition? Is it simply running a pole, or is  
15 there some kind of a structure or anything of that  
16 nature, a building?

17 THE WITNESS (Gagnon): Any scenarios  
18 here that we did along the railroad we had changed  
19 the underground technology to an XLPE cable. In  
20 doing so, when we transition to underground to  
21 overhead or overhead to underground, we can use a  
22 much smaller transitional structure. We will call  
23 it a riser structure in this case. Basically it's  
24 a stronger structure on a foundation which it has  
25 a large skirt that will protect the lines as they

1 come up to the potheads to transition to an  
2 overhead line.

3 MR. MERCIER: So it comes along on an  
4 exterior pole which has some kind of I'll just  
5 call it a covering on it?

6 THE WITNESS (Gagnon): Correct.

7 MR. MERCIER: So underground at that  
8 point there's no -- any type of vaults or anything  
9 you need, it's just going to come directly out of  
10 the ground and up the pole?

11 THE WITNESS (Gagnon): That is correct.  
12 And just to be clear, we have two risers because  
13 we have two circuits.

14 MR. MERCIER: Thank you.

15 In the last paragraph of that Segment 1  
16 it talks about the potential costs associated with  
17 railroad parking and outages, railroad outages.  
18 Were those two factors or other things factored  
19 into the cost estimate presented in the paragraphs  
20 above? Were the parking issues and potential  
21 outages factored into that cost estimate?

22 THE WITNESS (Gagnon): Yes. Yes, they  
23 were.

24 MR. MERCIER: Now using your segment  
25 maps and description, it basically says that

1 Segment 1 ends at Indian Point Road, which leads  
2 into Segment 2 which, according to your material,  
3 has three options.

4 MS. BARBINO DUBUQUE: Mr. Mercier,  
5 could I just ask the Chairman, would you like this  
6 put on the board? Would it be more helpful? We  
7 do have that capability.

8 THE CHAIRMAN: Yes, please.

9 MR. MERCIER: You might as well put  
10 Segment 2A on the board, if you have that. This  
11 is the first time I've seen this.

12 If you go to the next page, you have a  
13 Segment 2A, which is right there. Now, looking at  
14 the yellow shading on your diagram, according to  
15 your legend, that's the easement. Those are  
16 properties affected by easement rights to build an  
17 overhead line along the north side of the  
18 railroad?

19 THE WITNESS (Gagnon): Yes. When we  
20 put the alignment of the line on here, those are  
21 the properties that we believe we would have to  
22 acquire easements.

23 MR. MERCIER: Okay. Now I notice  
24 within some of those properties and within the  
25 blue line there's some outbuildings. Would those

1 have to be removed, or can they remain within your  
2 easement rights? There's a few.

3 THE WITNESS (Gagnon): I think we'd  
4 have to look at them closely on how close they are  
5 to line and where we're actually putting our  
6 structures. There is a certain distance safety  
7 requirement that we do have to have, but we would  
8 be able to look at that on an individual basis.

9 MR. MERCIER: Now, looking at the  
10 detail of that blue easement line, and I notice  
11 that it kind of over -- it's along the route of an  
12 existing some type of maybe distribution line or  
13 something of that nature, do we have information  
14 as to what that line is that runs through those  
15 backyards?

16 THE WITNESS (Bowes): Those are two of  
17 the circuits at 27 kV that go from Cos Cob to  
18 Prospect.

19 MR. MERCIER: If this configuration was  
20 constructed with new overhead transmission poles,  
21 could those circuits be relocated onto the new  
22 poles, or would they have to have their own  
23 utility poles that exist there now?

24 THE WITNESS (Bowes): So kind of a  
25 two-part answer. With the proposed design we

1 would not have to relocate the existing  
2 distribution circuits. And also with the proposed  
3 design we could not place the distribution  
4 circuits onto those structures because we're using  
5 the smaller conductor, which also means a direct  
6 embedment for the structures. So without the  
7 foundations to support, they could not accept the  
8 two distribution circuits.

9 MR. MERCIER: Okay. Thank you.

10 Now, looking at the maps for Segments  
11 2A and 2B, you know, Segment 2A, as shown here, is  
12 adjacent to residential properties, whereas 2B  
13 runs between the railroad and Interstate 95. For  
14 maintenance purposes, which one would be more  
15 difficult to access or get in to do this ongoing  
16 activity, they both present their own challenges,  
17 or there's one preferred over the other?

18 THE WITNESS (Gagnon): Well, they  
19 definitely present their own challenges. Both are  
20 difficult. One, you're working next to homes, and  
21 you have to get in behind the homes. The other  
22 one you've got between the rail and the highway,  
23 which confines your working areas, and now you  
24 have to keep an eye on two sides of the work  
25 zones. So unique challenges.

1           MR. ASHTON: If I may, if the option of  
2 overhead was pursued and you've got roughly half  
3 the properties to the left of the center of this  
4 drawing, would the company be able to go in and  
5 negotiate land rights to expand what they have  
6 already in that area?

7           THE WITNESS (Gagnon): Yes.

8           MR. ASHTON: Okay. So access is  
9 constrained by present limitations; is that fair  
10 to say?

11          THE WITNESS (Gagnon): That is fair to  
12 say.

13          MR. ASHTON: And insofar as we chose  
14 aggregately in the future that might change?

15          THE WITNESS (Gagnon): That is correct.  
16 On that note, for the pricing that we put in here,  
17 we didn't look at expanding the work zone area for  
18 more easement rights. We just kind of identified  
19 what we highlighted in yellow as where we need  
20 easements.

21          MR. ASHTON: Right. Are there 28-kV  
22 circuits on that right-of-way that would have to  
23 be replaced if you go to 115?

24          THE WITNESS (Bowes): No, we would not  
25 have to replace them.

1           MR. ASHTON: No conflict between the  
2 subtransmission and the transmission?

3           THE WITNESS (Gagnon): That is correct.

4           MR. ASHTON: Thank you.

5           MR. MERCIER: How are the lower voltage  
6 lines accessed now? Is it through people's  
7 backyard on the north side of the railroad?

8           THE WITNESS (Bowes): Again, I would  
9 say they have their unique challenges. When we  
10 have to go in there, we usually try to do it in an  
11 off season if there's any wet areas and then go in  
12 along the right-of-way itself. It's probably much  
13 easier to do for distribution work than it would  
14 be for the transmission work.

15           So we'd look for access points and  
16 prenegotiate those for the transmission line in  
17 the future. But it is certainly a challenge  
18 today, even with the distribution, trying to do  
19 any vegetation management or any right-of-way  
20 maintenance along there.

21           MR. MERCIER: For the north side of the  
22 rail line behind the homes there's not like an  
23 existing dirt road used by Metro-North or anything  
24 of that nature, it's just tracks and then the  
25 private property?



1           THE WITNESS (Bowes): Yes, there's not,  
2 I would say, a maintained roadway there. There's  
3 probably a few feet of margin outside the tracks.  
4 It might be accessible, but it's probably within  
5 the encroachment distance of the railroad.

6           MR. MERCIER: Thank you.

7           Just flip to Segment 2C. Now on this  
8 segment there's a property, a designated parcel,  
9 1104. It's marked in red. Can you just explain  
10 why that has that designation?

11          THE WITNESS (Gagnon): We're assuming  
12 in our evaluation that we would be acquiring that  
13 entire piece of property. And the reason why  
14 we're trying do that is we would use that as the  
15 easement for the line to go along that piece of  
16 property to get to Circle Drive.

17          MR. MERCIER: For this underground  
18 segment would this segment need a splice vault?

19          THE WITNESS (Gagnon): No, this would  
20 be using XLPE for that little section.

21          MR. MERCIER: Okay. Now, looking at  
22 the segment, I notice you had overhead going into  
23 just past Indian Field Road and then transitioning  
24 to underground going through that Parcel 1104 we  
25 just spoke about. Is it possible to run an

1 underground line north down Indian Field Road?

2 THE WITNESS (Gagnon): Just to be  
3 clear, I'm not sure I follow that. But you're  
4 asking if we can run underground along Segment 1  
5 along the --

6 MR. MERCIER: No, right where  
7 Segment -- right at Indian Field Road there's a  
8 bridge, and it's marked as green right there, then  
9 it transitions underground to 1104. I'm saying  
10 can you just run underground north on Indian Field  
11 Road and then running it west on Morningside Drive  
12 and then north on Circle Drive, picking up the  
13 route in front of 1104, potentially making a box?

14 MS. BARBINO DUBUQUE: Mr. Chairman, can  
15 we go off the record for one moment?

16 THE WITNESS (Gagnon): I'm just trying  
17 to understand.

18 THE CHAIRMAN: Sure. Go ahead.

19 (Off the record discussion.)

20 MS. BARBINO DUBUQUE: Mr. Chairman,  
21 we're ready to go back on the record, please.

22 THE WITNESS (Gagnon): Now I think I  
23 follow the question. I apologize.

24 So if you're asking if we can go up  
25 north on Indian Head Road, find another

1 alternative to get in, and then turn back south?

2 MR. MERCIER: Yes, there's a cross  
3 street called Morningside Drive which --

4 THE WITNESS (Gagnon): Yes.

5 MR. MERCIER: Right here. So I'm  
6 saying going like this.

7 THE WITNESS (Gagnon): Correct. The  
8 trick with that, you're putting multiple bends in  
9 the route, and also now you're getting to a point  
10 where it could become harder to pull the cable  
11 through the underground route. So we'd have to  
12 look at that and see if that is possible. We  
13 would have to do a lot of -- an evaluation on that  
14 to see what the pulling tensions are. We're  
15 probably adding another third of that length to do  
16 that. I think our estimates were, to give you an  
17 idea, I think they were at one point \$5,000 a  
18 linear foot. So as you start adding that up, it  
19 gives you an idea of what that cost would be.

20 MR. MERCIER: Is there a loss of power  
21 as it goes through the bends? Is that a concern?  
22 I understand the pulling aspect.

23 THE WITNESS (Gagnon): Well,  
24 theoretically you would have to look at how tight  
25 the turns are, but no, in all practicality, no.

1           MR. MERCIER: Now, looking at again  
2 Segment 2C, it ends behind the parcel at 1073. I  
3 think 1073 is just left of the parcel marked in  
4 yellow where it transitions to overhead for  
5 Segment 3; is that correct?

6           THE WITNESS (Gagnon): Yes, that is  
7 correct.

8           MR. MERCIER: So rather than  
9 transitioning overhead at that point and  
10 continuing due west, is it possible to bore the  
11 line under the railroad between I-95 and the south  
12 side of the Metro-North tracks and then pick up  
13 Segment 3B there?

14          THE WITNESS (Gagnon): Just looking at  
15 that now, we would have to think about putting a  
16 jacking pit, a jacking pit itself and the  
17 receiving pit, and is there enough space. From  
18 the aerial photograph it looks extremely tight. I  
19 would say it would be difficult. But if there was  
20 a real interest, we'd have to really look at it.  
21 And again, a jacking bore going underneath the  
22 highway we were talking it would probably add  
23 another million dollars to go underneath with a  
24 jacking bore.

25          MR. MERCIER: There is one leaving the

1 existing Cos Cob substation, is that correct,  
2 going under the -- you're jacking under the  
3 Metro-North Railroad?

4 THE WITNESS (Gagnon): Well, in our  
5 original preferred design, yes, but when you look  
6 at Segment 1 that's shown here, that's an aerial  
7 cable crossing.

8 MR. MERCIER: I thought that was  
9 underground. I'm sorry.

10 THE WITNESS (Gagnon): Yes. If you  
11 want to go back to Segment 1, there is a section  
12 of underground. Those are just within the  
13 substation yard itself. Once we're outside the  
14 substation yard, we're transitioning overhead.

15 MR. MERCIER: Okay. Thank you.

16 Now for Segment 3A the transmission  
17 line splits at Parcel 1068. What kind of  
18 structure is needed to carry the southern circuit  
19 over the railroad? Is it a heavy duty, those  
20 angled structures?

21 THE WITNESS (Gagnon): You're talking  
22 the angled structure, yes, that would be an  
23 engineered heavy-duty structure with a foundation  
24 with guys.

25 MR. MERCIER: What's the railroad's

1 view on that type of installation, do you have any  
2 comments regarding conductors over the tracks?

3 THE WITNESS (Gardell): The answer to  
4 that would be as long as it would be perpendicular  
5 to the tracks.

6 MR. MERCIER: Now for this Segment 3A  
7 where you carry one circuit over the tracks, why  
8 couldn't you just carry both?

9 THE WITNESS (Gardell): It's going to  
10 show you the blue variation, the next one, would  
11 be just both circuits on the other side of the  
12 track.

13 MR. MERCIER: I understand that. I  
14 understand that. I'm just saying for this  
15 particular segment you can go to this point and  
16 carry both over the tracks, if you wanted to; is  
17 that correct?

18 THE WITNESS (Gardell): Yes, you could,  
19 and it would be similar more to the blue route,  
20 yes.

21 MR. MERCIER: Understood.

22 THE WITNESS (Gardell): We're showing  
23 we carry it over to avoid some condos that we have  
24 to acquire.

25 MR. MERCIER: Can you repeat that,

1 please?

2 THE WITNESS (Gardell): We have the  
3 split route where it goes across the tracks. And  
4 we have two pictures. It would be page 12 of 14.

5 MR. MERCIER: Yes.

6 THE WITNESS (Gardell): It would be  
7 that -- it would save us an additional 10 feet,  
8 and therefore we wouldn't have to acquire two  
9 condos on the north side of the tracks.

10 MR. MERCIER: I guess I don't see those  
11 properties on this map. That's all.

12 THE WITNESS (Gardell): They're in this  
13 area here, but because we've done the split route,  
14 if we kept the route and we submitted the original  
15 route that stayed on that side, then those two  
16 would be acquisitions and they'd be red. We chose  
17 to get more creative and save those.

18 MR. MERCIER: Okay. Thank you.

19 THE WITNESS (Gagnon): The actual two  
20 properties, 1058 and 1062, would be those two  
21 properties that we have to acquire.

22 MR. MERCIER: Okay. Thank you.

23 I guess from a feasibility point I was  
24 thinking of the underground variation I presented  
25 going north on Indian Field Road, then taking a

1 westward turn on Morningside, and then down Circle  
2 Drive, as we discussed, coming out to the railroad  
3 overhead across that Indian Harbor, and then both  
4 lines going across picking up 3B there. It's just  
5 another variation. That's why I was asking those  
6 questions.

7           So I think what you're saying is if you  
8 had one circuit on the north side of this  
9 particular Segment 3A, you would not have to  
10 acquire --

11           THE WITNESS (Gardell): If we had --  
12 the green circuit stayed with both circuits on the  
13 north side, we'd have to acquire two condo  
14 buildings.

15           MR. MERCIER: Okay. So with the one  
16 circuit alternative, you don't have to do that?

17           THE WITNESS (Gardell): Right. And  
18 that's what we presented here because it was  
19 cheaper. And it is worth noting that in Section  
20 2B there is an access road between the railroad  
21 and the highway that Metro-North uses.

22           MR. MERCIER: Okay. Just going back to  
23 the segment map -- or I'll just ask the question.  
24 Is there an estimate of the number of transmission  
25 towers that would be needed for the overhead



1 segment, has that been provided?

2 THE WITNESS (Gagnon): In any one  
3 segment or in the whole thing?

4 MR. MERCIER: Any one because there's  
5 different variations. I wasn't sure if you had  
6 any rough numbers on the --

7 THE WITNESS (Gagnon): We're looking at  
8 for the northern route we looking at spans of 425  
9 feet. Southern route we could do longer spans,  
10 probably 500 to 600-foot spans on average.  
11 There's a couple of longer ones.

12 MR. MERCIER: When you say the  
13 "southern route," that's between the railroad and  
14 the highway?

15 THE WITNESS (Gagnon): Yes.

16 MR. MERCIER: Thank you. Thank you  
17 very much.

18 THE WITNESS (Gardell): We do have the  
19 number of structures, if you would like that?

20 MR. MERCIER: Sure.

21 THE WITNESS (Gardell): Segment 1A  
22 would be five structures. Segment 2A would be six  
23 structures. Segment 2B would be five structures.  
24 Segment 3A would be 19 structures because it's on  
25 both sides of the rail. Segment 3B would be nine

1 structures. And Segment 4A would be seven  
2 structures.

3 MR. MERCIER: Thank you. That's all  
4 the questions I have for now. Thank you.

5 THE CHAIRMAN: Thank you.

6 SENATOR MURPHY: I have no questions,  
7 Mr. Chairman. I just received this.

8 THE CHAIRMAN: Mr. Ashton?

9 MR. ASHTON: Bear with me. I've got a  
10 little physical problem, and I may be repeating  
11 myself.

12 The substation location in North  
13 Greenwich, is that the one that's immediately  
14 north of the parkway on -- I can't think of it --  
15 North Street or something like that?

16 THE WITNESS (Bowes): It's immediate  
17 north of the parkway. I'm not sure if it's North  
18 Street.

19 MR. ASHTON: Okay. You can see it from  
20 the parkway?

21 THE WITNESS (Bowes): Yes.

22 MR. ASHTON: And would that be the site  
23 of a bulk substation in the future?

24 THE WITNESS (Bowes): There's no plans  
25 at this point for that.

1 MR. ASHTON: What plans, if any, are  
2 there for 115 kV into North Greenwich?

3 THE WITNESS (Bowes): There are none at  
4 this time.

5 MR. ASHTON: No plans, no  
6 considerations of any nature?

7 THE WITNESS (Bowes): Not at this  
8 point, no. We have proposed with the new  
9 Greenwich substation an interconnection for a  
10 third transmission line.

11 MR. ASHTON: I'm having trouble hearing  
12 you.

13 THE WITNESS (Bowes): We have proposed  
14 with a new Greenwich substation the  
15 interconnection for a third transmission line, but  
16 there's no plans at this point to extend from a  
17 Stamford substation to that location.

18 MR. ASHTON: And the third transmission  
19 line, where would that -- that would terminate at  
20 Greenwich substation and where else?

21 THE WITNESS (Bowes): That hasn't even  
22 been discussed at this point, but potentially  
23 Southend, potentially Cedar Heights, potentially  
24 Glenbrook.

25 MR. ASHTON: Cedar Heights, from my

1 recollection, is at the north end of Stamford; is  
2 that right?

3 THE WITNESS (Bowes): Correct.

4 MR. ASHTON: And that's currently  
5 served by 215 pipe cables?

6 THE WITNESS (Bowes): Correct.

7 MR. ASHTON: And there's nothing  
8 between Cedar Heights and Greenwich unless you go  
9 along the railroad; is that fair to say?

10 THE WITNESS (Bowes): I believe so.

11 I'm not that familiar between Cedar Heights and  
12 Greenwich.

13 MR. ASHTON: Why wouldn't it be prudent  
14 to do a little bit of blue sky planning on North  
15 Greenwich at 115 kV?

16 THE WITNESS (Bowes): I think I'll  
17 certainly provide that to our transmission  
18 planning group. I think it's just the quantity of  
19 work they have in front of them right now, but I  
20 think --

21 MR. ASHTON: Wouldn't you agree that  
22 Greenwich is a nightmare as far as planning goes  
23 and has been for 50 years?

24 THE WITNESS (Bowes): It's certainly at  
25 the end of the Eversource system, and it makes it

1 very difficult to operate.

2 MR. ASHTON: Voila. That's my point.  
3 So why wouldn't it be prudent to try to take a  
4 crack at something in the future to make sure  
5 you've got reasonable options?

6 THE WITNESS (Bowes): Again, we're  
7 trying to satisfy the need today at the lowest  
8 possible cost.

9 MR. ASHTON: I hear you. I hear you.  
10 But you know and I know as professionals in the  
11 planning business that you have to go beyond  
12 today?

13 THE WITNESS (Bowes): We do.

14 MR. ASHTON: And that's my question.

15 THE WITNESS (Bowes): And I think as we  
16 study Southwest Connecticut in the future, we'll  
17 certainly take that into consideration.

18 MR. ASHTON: In that regard -- I have  
19 to apologize, I may have asked the question. If I  
20 have, forgive me and remind me -- was there any  
21 discussion between Eversource and CL&P, if you  
22 will, and ConEd as to what capabilities, if any,  
23 existed in New York State that could be utilized  
24 for Greenwich?

25 THE WITNESS (Bowes): We did not have

1 any discussions with ConEdison around sharing  
2 resources. Certainly at the transmission level  
3 there are some significant limitations to doing  
4 that.

5 MR. ASHTON: I understand, but you're  
6 not talking transmission level, bulk level, you're  
7 talking relatively small numbers where 50  
8 megawatts would buy you an awful lot.

9 THE WITNESS (Bowes): We have not had  
10 any discussions.

11 MR. ASHTON: Wouldn't that be something  
12 that would be worthwhile?

13 THE WITNESS (Bowes): We can certainly  
14 ask the question of ConEd.

15 MR. ASHTON: My observation -- and I'm  
16 testifying here, Mr. Chairman. Forgive me -- is  
17 that from driving down 95, there have been a huge  
18 amount of major construction along 95 in the area  
19 just west of Connecticut, which means that there  
20 has to be some significant additions to the  
21 transmission capability. And whether or not that  
22 would have any bearing or not, I don't know, but  
23 to my mind it's a question worthwhile answering --  
24 asking and answering.

25 THE WITNESS (Bowes): So we'll take

1 that as a Late-File then?

2 MR. ASHTON: I'll defer to the Chair.

3 THE CHAIRMAN: Since we're going to be  
4 apparently around for at least one meeting, I  
5 guess the answer is yes.

6 MR. ASHTON: In the Eversource  
7 organization briefly, briefly describe what the  
8 project approval process is for something like 140  
9 million substation expansion at Greenwich? Who  
10 does what to whom, how intensive are the  
11 questioning?

12 THE WITNESS (Gagnon): It's really a  
13 two-step process -- or not two -- it's two steps  
14 but really two different organizations. We are in  
15 the midst of a reorganization, so what I say today  
16 might change tomorrow. But in the past how things  
17 went, you had a transmission group that looked at  
18 the transmission facilities, you had a substation  
19 group that looked at the substation facilities.  
20 They went up different chains for approvals. Both  
21 groups used a technical review committee to look  
22 at the initial technical proposals, and then if it  
23 passes that committee, which is usually made up of  
24 engineers, operational people, people that are  
25 from the control centers, then it goes to a

1 financial committee to validate the -- verify the  
2 cost and verify the cost as a prudent expenditure.

3 MR. ASHTON: Who is on that financial  
4 committee?

5 THE WITNESS (Gagnon): That financial  
6 committee is made up of in the transmission side  
7 of the house several directors, a director of  
8 engineering, planning, projects, system operations  
9 group, and then anything over actually it's  
10 \$100,000 has to be approved by the vice president.  
11 Anything over --

12 MR. ASHTON: You've got to change that.

13 THE WITNESS (Gagnon): It's pretty low.  
14 A million dollars goes to the president. The  
15 president of transmission, I think, is up to five,  
16 and then it goes up to the operational president,  
17 7.5, and then it goes to the board.

18 MR. ASHTON: Is there anybody that  
19 says, wait a minute, we've got a problem here,  
20 let's fall back and regroup?

21 THE WITNESS (Bowes): I can speak to  
22 how the Greenwich substation specifically was  
23 approved. That's probably more --

24 MR. ASHTON: You're reading my  
25 direction.



1           THE WITNESS (Bowes): So before I made  
2 the public announcement in June of 2011, I had the  
3 approval of our chief operating officer and our  
4 CEO to make that announcement because I was going  
5 to commit the company to several hundred million  
6 dollars worth of investment in Southwest  
7 Connecticut, including Stamford and Greenwich  
8 infrastructure. Since that time our merger took  
9 place and a presentation was made to the senior  
10 executives, including the chief financial officer,  
11 the chief operating officer, and the CEO of  
12 Eversource for approval of this project.

13           MR. ASHTON: Okay. Thank you very  
14 much.

15           That's it, Mr. Chairman.

16           THE CHAIRMAN: Thank you.

17           Mr. Hannon?

18           MR. HANNON: Thank you, Mr. Chairman.

19 I haven't really had a chance to go over the  
20 latest material that came in, but it was part of  
21 the dialogue earlier today, and I believe I read  
22 it somewhere. For the 290 Railroad Avenue there  
23 is an option for the property, correct?

24           THE WITNESS (Gagnon): Yes, that's  
25 correct.

1           MR. HANNON: And I thought that what I  
2 had read said that you can close on the option in  
3 2021. So my question is can you close before  
4 that, or do you have to wait until 2021?

5           THE WITNESS (Gagnon): There's a  
6 mechanism in the contract, but it would be a  
7 negotiated buyout at that point.

8           MR. HANNON: So right now the language  
9 that I read was for 2021?

10          THE WITNESS (Gagnon): That is correct.

11          MR. HANNON: So the option is good  
12 through then. If you purchase it earlier then you  
13 have to go through some type of negotiation to  
14 actually be able to close on it earlier?

15          THE WITNESS (Gagnon): The mechanism  
16 would be outside a buyout agreement, but yes.

17          MR. HANNON: I just wanted to make sure  
18 that I read what I thought I read. Because it  
19 seems like now you're talking six years out, which  
20 is what the current option calls for, so I wasn't  
21 sure if there was something in place to possibly  
22 close earlier.

23                 Thank you. That's all I have.

24          THE CHAIRMAN: Dr. Klemens.

25          DR. KLEMENS: I have a bunch of

1 questions on different issues. First, I'd like to  
2 go to the map that you referred to earlier on E-10  
3 of the application. I'm trying to sort some  
4 things out in my mind. We had earlier in response  
5 to questions that there was a 33 percent increase  
6 in use in North Greenwich. Looking at this map,  
7 and I see that you have the downtown sort of  
8 excerpted out. And I'm looking at the back  
9 country of Greenwich, and I'm seeing right along  
10 the New York border an orange and a yellow cell.  
11 I assume that's roughly near the airport where 120  
12 King Street crosses into New York State; is that  
13 roughly where that is? It looks like it to me.  
14 I'm somewhat familiar.

15 THE WITNESS (Bowes): I believe so,  
16 yes.

17 DR. KLEMENS: So I don't quite  
18 understand. You have a 33 percent increase in  
19 demand or use in North Greenwich, and yet the  
20 North Greenwich I see here is largely green which  
21 means very low demand. So could you reconcile the  
22 statement earlier and this map because I'm  
23 confused?

24 THE WITNESS (Bowes): I cannot  
25 reconcile it, but I'll be glad to take that as a

1 Late-File.

2 DR. KLEMENS: Okay.

3 THE WITNESS (Bowes): It does seem  
4 inconsistent with the two data sources.

5 DR. KLEMENS: Thank you.

6 Is that okay, Mr. Chairman, another  
7 Late-File on that?

8 THE CHAIRMAN: Yes. Sure.

9 DR. KLEMENS: All right. Because that  
10 doesn't make any sense to me. Because I'm trying  
11 to grapple with this whole issue of where the need  
12 is and demonstrating the need.

13 Next I'd like to go to the submission,  
14 if I can dig it out. Can you explain? I saw all  
15 those poles, the simulation. I think you did the  
16 simulation, Mr. Libertine --

17 THE WITNESS (Libertine): Yes, sir.

18 DR. KLEMENS: -- of all those  
19 incredibly ugly poles in Bruce Park. That didn't  
20 relate at all to what we just saw there?

21 THE WITNESS (Libertine): No, sir.  
22 Just as a clarification, the simulations that were  
23 presented through Bruce Park were a direct result  
24 of your inquiry at the last hearing asking if  
25 there could be a transition to overhead through

1 the park to avoid going with the direct drilling.

2           So we prepared those to show actually  
3 two different scenarios, one being basically  
4 coming in, all overhead coming from both the  
5 northeast and then exiting to the west. And then  
6 we also had at the back we showed transition  
7 stations that would be necessary using the  
8 original line technology. And having the  
9 transition from the underground crossings at both  
10 ends and then going to overhead, they're at the  
11 end of this particular, but this is the submission  
12 that you're referring to.

13           DR. KLEMENS: Right.

14           THE WITNESS (Libertine): So we did not  
15 have time after we went through the analysis of  
16 some of these other overhead options to do any of  
17 those. There were some technical issues with  
18 trying to attempt those as well.

19           DR. KLEMENS: Can we look at the pole  
20 on that particular wetland?

21           THE WITNESS (Libertine): That's at the  
22 west end.

23           DR. KLEMENS: Right. I've got to ask  
24 you a question. If you don't want a particular  
25 outcome, do you make it look as really ugly as

1 humanly possible, or is that really what it's  
2 going to look like? I've got to ask the question.

3 THE WITNESS (Libertine): Oh,  
4 absolutely. As with any of these simulations  
5 we've ever presented in front of the Council,  
6 these are accurate. They're three-dimensional  
7 models that are based on engineering input and  
8 design that we received from Eversource. You will  
9 note that there are not foundations associated  
10 with these poles. These are again to be direct  
11 driven or to be augered in using the lighter  
12 conductor.

13 And so, again, trying to be as least  
14 impactful as possible, but we wanted to present  
15 the reality, which is in the northern portion of  
16 the park there would be some fairly substantial  
17 structures to be able to support the overhead run.

18 DR. KLEMENS: How far is that? Is that  
19 just outside the highway right-of-way or further  
20 in the park? Because I was sort of wanted to push  
21 it right out as close to the highway as we could  
22 get.

23 THE WITNESS (Libertine): Yes. It's  
24 probably offset from the highway maybe a hundred  
25 and change, a hundred feet and change. One of the

1 things we tried to balance was the park versus  
2 what was CONNDOT right-of-way, not knowing if we'd  
3 be able to do anything within that. So we said  
4 let's look at it from the standpoint of being  
5 within the park proper. So we're essentially up  
6 against the CONNDOT right-of-way line.

7 DR. KLEMENS: But not in the -- because  
8 I notice there was quite a broad strip of CONNDOT  
9 right-of-way, and my hope was, well, if we did  
10 this that we could push it right in there and get  
11 it as far -- as you look up through Indian Harbor,  
12 you see the bridge, you see the highway, and my  
13 hope was it was going to be very close to that.  
14 You don't think that's possible?

15 THE WITNESS (Libertine): CONNDOT won't  
16 support that. We have to do some type of a  
17 90-degree perpendicular crossing, as opposed to  
18 paralleling the actual highway.

19 DR. KLEMENS: They're not going to let  
20 you use that area?

21 THE WITNESS (Libertine): Correct. And  
22 so, again, we wanted to show something that was at  
23 least based on what could be done as opposed to  
24 something that, boy, wouldn't it be nice. But  
25 that's been -- that's a plan that has been

1 presented to them on at least two occasions, the  
2 question being posed, and in both cases they came  
3 back and said that they would not support that.

4 DR. KLEMENS: Let's look at the  
5 simulations in Indian Harbor again, please.

6 THE WITNESS (Libertine): Sure.

7 DR. KLEMENS: Because I think that's  
8 the -- do you have that?

9 THE WITNESS (Libertine): That's the  
10 existing conditions. Now this is what would be  
11 required to create a structure at both ends to  
12 span. And of course it opens up -- it's a 50-foot  
13 right-of-way, 25 feet from the center on each side  
14 of those poles.

15 DR. KLEMENS: But didn't we have a  
16 discussion that we didn't have to make as big a  
17 right-of-way, there was a way to sort of -- I  
18 don't know the term -- girdle them so they  
19 wouldn't swing as much?

20 THE WITNESS (Libertine): My  
21 understanding was that this was the minimum. I  
22 think at first they were hoping that the standard  
23 would be 70 to 100 feet right-of-way, and so that  
24 was condensed to try to make it as, again, the  
25 least amount of impact in terms of vegetation



1 clearing.

2 MR. ASHTON: Those are in fact  
3 constrained conductors on that structure, are they  
4 not?

5 THE WITNESS (Libertine): I'm sorry.  
6 Excuse me.

7 MR. ASHTON: Those are in fact  
8 constrained conductors?

9 THE WITNESS (Gagnon): Yes. On this  
10 design that they used here was rigid constrained  
11 conductors using the standoff insulators. We also  
12 put it on the center of the pole to minimize the  
13 reach. So it's compact design.

14 MR. ASHTON: It's impossible to climb  
15 those?

16 THE WITNESS (Gagnon): That is correct.

17 DR. KLEMENS: Thank you for providing  
18 me the correct terminology, Phil. That's what I  
19 was getting at.

20 MR. ASHTON: Constrained. That's okay.

21 DR. KLEMENS: Girdled, constrained.

22 Okay. So that's what it would look  
23 like to avoid drilling under the wetlands if you  
24 went through Bruce Park to avoid --

25 THE WITNESS (Libertine): That's

1 correct.

2 DR. KLEMENS: -- going into the  
3 wetlands, this is what we'd have. Could you  
4 explain what that big thing at the end of Davis  
5 Avenue is? You've got a picture of sort of a  
6 strange elevated structure.

7 THE WITNESS (Libertine): Yes. There  
8 is a sun -- well, actually if -- oh, the  
9 transition station, I'm sorry. I thought it was  
10 the existing.

11 At each end of the overhead line to  
12 transition back to underground, again, this is  
13 using the original technology. I know there's a  
14 little bit of confusion potentially because we  
15 talked about XLPE options and using just this kind  
16 of single riser pole. With this particular  
17 technology -- and I'm not an expert -- my  
18 understanding is that there has to be what we're  
19 calling a transition station, and there are a few  
20 of these around the state. But that is about a  
21 75-foot by 75-foot footprint to support going into  
22 that transition zone of overhead to underground  
23 and at the east end the opposite going from  
24 underground to overhead.

25 DR. KLEMENS: So suffice it to say,

1 this idea of going through Bruce Park in this way  
2 as a visual expert you would find this a quite  
3 strong visual impact on the park?

4 THE WITNESS (Libertine): I would say,  
5 yes, I think the results unfortunately speak for  
6 themselves. And I understand why we wanted to go  
7 through that exercise. I think certainly the  
8 underground option from a future standpoint in  
9 terms of long-term aesthetics once the  
10 construction is done you wouldn't even know it was  
11 there, but obviously that would be a permanent  
12 impact.

13 DR. KLEMENS: And as was testified  
14 earlier, the drilling will be 37 feet below the  
15 actual floor of the wetland in Indian Harbor?

16 THE WITNESS (Gagnon): Yes, that is  
17 correct.

18 DR. KLEMENS: So I want to go to a  
19 letter that we received from Edith Meli or Meli  
20 who says does anyone read the e-mails that the  
21 Siting Council gets, and I think here we have  
22 proved that we have. And she asked the question  
23 -- this is one of the many public e-mails we get.  
24 And she asked if the e-mails are ever being read,  
25 does it really matter.

1           But she raises one question that I'd  
2 like you to address. Where does the EPA stand on  
3 the ecological disasters that can occur in Bruce  
4 Park, Long Island Sound, the Greenwich wetlands.  
5 And I'm going to rephrase that as what type of  
6 higher agency approvals do you need or what kind  
7 of reviews have you done with federal agencies?  
8 Is that covered by your NEPA review or how have  
9 you dealt with the EPA or do you have to?

10           THE WITNESS (Libertine): Correct me if  
11 I'm wrong, I don't believe there's any trigger  
12 from a federal standpoint here. What we would  
13 have to do and what we have had conversations at  
14 this point is with the Office of Long Island  
15 Sound. So they're aware of the project's  
16 potential. We've gotten some feedback from them,  
17 and I believe we're in the process of developing  
18 the permit application that would be required to  
19 go through Bruce Park and go underneath the tidal  
20 wetlands.

21           DR. KLEMENS: The Long Island Sound.

22           THE WITNESS (Libertine): I'm sorry,  
23 the tidal wetlands associated with Bruce Park.

24           DR. KLEMENS: So that is being  
25 regulated at the state level?

1           THE WITNESS (Libertine): It would be  
2 regulated at the state level under the DEP's  
3 Office of Long Island Sound.

4           DR. KLEMENS: And do they coordinate  
5 with DEP, or is there some coordinated -- I just  
6 want to answer this lady's question. I mean, are  
7 we taking all the necessary environmental  
8 protections necessary?

9           THE WITNESS (Libertine): To answer  
10 that question I would say yes, but again, I just  
11 don't believe that there would be any -- there is  
12 no -- I will take that back. The only approval  
13 process through the Federal Government would be  
14 triggered through the U.S. Army Corps of  
15 Engineers. If we were to do the cable crossing  
16 and do cofferdams and impact directly the  
17 wetlands, we would get into an Army Corps permit  
18 jurisdiction. At that point there would be  
19 outreach to U.S. Fish and Wildlife and Historic  
20 Advisory Committee. I don't believe EPA is part  
21 of that particular process as well so --

22           DR. KLEMENS: In my experience they  
23 often are.

24           THE WITNESS (Libertine): Well, they'll  
25 certainly be a commenting party.

1 DR. KLEMENS: Right.

2 THE WITNESS (Libertine): Whether or  
3 not they actually have -- so yes, they could have  
4 input, right.

5 DR. KLEMENS: So in answer to Edith  
6 Meli or Meli's question, this is all being done in  
7 a manner with the correct permits and the correct  
8 agencies?

9 THE WITNESS (Libertine): Absolutely.  
10 Once we know the final routing, then certainly  
11 those agencies will have to be consulted.

12 DR. KLEMENS: And if there's going to  
13 be wetlands, as you said, it's going to -- wetland  
14 impact is going to go to the Army Corps, and the  
15 Army Corps triggers the other federal regulatory  
16 agencies?

17 THE WITNESS (Libertine): That's  
18 correct.

19 DR. KLEMENS: No more questions,  
20 Mr. Chairman. Thank you.

21 THE CHAIRMAN: Mr. Mercier.

22 THE WITNESS (Libertine): Dr. Klemens,  
23 just to follow up, we do have this in the  
24 application in Section O under O-1. There is  
25 actually a table of the anticipated permit

1    approvals and consultations that we went through  
2    and vetted as part of this process.

3                   DR. KLEMENS:   Right.  This was a  
4    letter.  I just wanted to have you address this  
5    letter because we get a lot of form letters and a  
6    lot of things.  This actually had a question that  
7    I thought was worth at least answering in the  
8    record.

9                   THE WITNESS (Libertine):  Absolutely.

10                  MR. MERCIER:  Thank you.

11    Mr. Libertine, you just brought up cofferdams.  I  
12    believe at the last hearing I asked what the  
13    maximum length of a cofferdam could be, and I  
14    don't recall that being answered in any of the  
15    materials I have.  So does anybody recall that?

16                  THE WITNESS (Libertine):  I do recall  
17    the question, and I think the answer was I'm sure  
18    we didn't give you a linear foot dimension.

19                  MR. MERCIER:  That's what I was looking  
20    for.

21                  THE WITNESS (Libertine):  And I don't  
22    know that.  I don't know what the limitations are  
23    in terms of how far you can go.  I know that the  
24    plan in terms of if we were to cross Indian Harbor  
25    would be to work from both sides, work halfway and

1 then do the other side to match it, but  
2 unfortunately I just don't know that, the  
3 limitation.

4 MR. MERCIER: Thank you.

5 DR. KLEMENS: Just a follow-up. Wasn't  
6 there also a discussion, but I think that was  
7 answered, but correct me if I'm wrong, about how  
8 you do a cofferdam in a tidal wetland, was that  
9 actually answered?

10 MR. ASHTON: Yes.

11 DR. KLEMENS: No, it was not answered?

12 MR. ASHTON: It was.

13 DR. KLEMENS: It was answered. Okay.  
14 Thank you.

15 THE WITNESS (Gagnon): The only thing I  
16 just want to clarify, I mean, the distance really  
17 has to do with the type of water flow, the type of  
18 depth that you have to do. So I think you have to  
19 look at it holistically what are you traversing  
20 there than just a linear distance.

21 MR. MERCIER: Yes. Yes, now I recall  
22 the going from both ends. Thank you.

23 I do have a couple of follow-ups on the  
24 previous questions I asked regarding the potential  
25 overhead segments that you developed. This has to



1 do with Segment 2. In Segment 2 you had three  
2 options, 2A and 2B were overhead, and 2C was  
3 underground. Just from a constructability point  
4 of view, would underground be easier than the  
5 overhead between say than along the railroad?

6 THE WITNESS (Gagnon): In this  
7 particular case we believe the railroad south  
8 would provide, I think, probably an easier  
9 construction area for us to be in. Although the  
10 roadway is nice and convenient, you do have the  
11 public access that you're dealing with on a daily  
12 basis between the highway and the railroad. Other  
13 than the action of the railroad and the highway,  
14 we'd be limited to a protected work area.

15 MR. MERCIER: I guess that's what I'm  
16 getting at. I mean, would there be cumbersome  
17 work rules and times that it would just be easier  
18 to go underground along the roads, but I guess  
19 what you're saying is, no, it would be --

20 THE WITNESS (Gagnon): Yes, I think we  
21 also weighed in the cost of going underground  
22 versus overhead too.

23 MR. MERCIER: Now just in general for  
24 maintenance purposes if you had an overhead line,  
25 how often do you have to go in and maintain the

1 tower or certain segments of line, is it every ten  
2 years or if problems arise?

3 THE WITNESS (Gagnon): They do foot  
4 patrols, I believe, subject to verification, I  
5 think it's every two years we do a foot patrol on  
6 each of the lines. Overhead is definitely a lot  
7 easier to look, I mean, because you can visually  
8 see what's going on with binoculars than something  
9 that's underground.

10 MR. MERCIER: For the XLPE cables, once  
11 you put them in, if it's done right, is the  
12 incidence of problems extremely minimal?

13 THE WITNESS (Gagnon): Yes, if it's  
14 done right. Usually what we've seen, if there's a  
15 failure, it's someone digging into it. It's not  
16 the cable itself. If there is a cable problem,  
17 it's usually at the splice point.

18 MR. MERCIER: Thank you.

19 MR. ASHTON: Has CL&P -- pardon me --  
20 Eversource acquired rights along the railroad in  
21 this section? Let me preface it by the comment  
22 that back 50 years ago, more or less, there was a  
23 major purchase of the railroad rights by CL&P, and  
24 the payment was used to rebuild the signal system.  
25 And I'm not quite sure how far along that went.

1 This is all preceding you guys, I guess. So it  
2 would be a de novo type of acquisition if you had  
3 to acquire rights in this area?

4 THE WITNESS (Gagnon): I'm not sure  
5 exactly what that meant but --

6 MR. ASHTON: I'm sorry?

7 THE WITNESS (Gagnon): Yes. Correct.

8 MR. ASHTON: Okay. And is it fair to  
9 say that usually the railroad is not too kindly  
10 towards bargain rates for acquisition of  
11 rights-of-way?

12 THE WITNESS (Gagnon): They know we're  
13 a trapped customer basically, yes.

14 MR. ASHTON: Okay. I see Mr. Bowes  
15 over there. He's nodding his head.

16 THE CHAIRMAN: I have just one  
17 question. On your question for LF-003, page 4, we  
18 have "Estimated Cost of Transmission Line Routes."  
19 The last sentence where you say that the estimated  
20 cost for this hybrid overhead/underground  
21 transmission line route would be approximately 50  
22 million, which is 22 million less than the  
23 estimated cost along the preferred route, so does  
24 that mean that of your total cost of whatever it  
25 is, 140 million, it will be 22 million less if

1 this route was chosen?

2 THE WITNESS (Gagnon): I think it works  
3 out to be 117 million for the whole project.

4 THE CHAIRMAN: So it would be about a  
5 15 percent or whatever reduction in cost.

6 THE WITNESS (Gagnon): (Nodding head in  
7 the affirmative.)

8 THE CHAIRMAN: I probably know the  
9 answer, but I think a lot of people ask questions  
10 knowing the answer. But why in your original  
11 application did you not show as alternative of  
12 overhead for the hybrid route?

13 THE WITNESS (Gagnon): It really has to  
14 do with when we had discussions with the railroad  
15 and with the towns, the open houses, from all that  
16 data that we put together using some of our  
17 standard designs, our initial approach with CDOT,  
18 the railroad wanted us to verify and validate that  
19 there's absolutely no other routes before they  
20 came in and they allowed us to go and look at some  
21 of these other hybrid routes within the railroad  
22 and highway corridor. So our preferred route was  
23 based on the information and any permissions that  
24 we had during that time.

25 THE WITNESS (Gardell): In our

1 application we do have a letter from CDOT, and it  
2 says it was undesirable for us to be located in  
3 their rights-of-way. That was part of our  
4 application.

5 MR. ASHTON: Is that in part premised  
6 on the fact that Amtrack is considering major  
7 rebuild of the northeast so this would be one of  
8 the key routes?

9 THE WITNESS (Gardell): They've shared  
10 with us the intent to widen the highway here, and  
11 that's their biggest concern.

12 MR. ASHTON: To widen the highway?

13 THE WITNESS (Gardell): Yes.

14 MR. ASHTON: Not the railroad? My  
15 question was for the railroad.

16 THE WITNESS (Bowes): There's also a  
17 lot of rail outages coming up for both the United  
18 Illuminating work, as well as the railroad work  
19 itself over the next year to two years. It would  
20 be a coordination issue certainly.

21 MR. ASHTON: You're going to have a  
22 coordination issue with Greenwich for UI work?

23 THE WITNESS (Bowes): No, with  
24 Metro-North around the outages they need for both  
25 the UI work, as well as this work, if we go

1 forward with an overhead route.

2 MR. ASHTON: Okay. Thank you.

3 DR. KLEMENS: I actually had one more  
4 question to ask.

5 THE CHAIRMAN: Go ahead.

6 DR. KLEMENS: I have one more that I  
7 meant to ask, and that goes back to Mr. Granoff  
8 came and asked you about the design of the  
9 building and the response that you have received  
10 from Greenwich, and he asked if there were other  
11 ideas, you would consider them. I believe  
12 Mr. Granoff submitted some conceptual ideas. If  
13 the sort of eyesore concept, which we heard  
14 articulated by the realtor -- and I forget your  
15 name, I'm sorry.

16 MS. EDWARDS: Christine.

17 DR. KLEMENS: -- if the eyesore concept  
18 is the thing that is driving part of it -- I don't  
19 believe it's driving the whole thing -- but would  
20 Eversource be amenable to trying to work with the  
21 community to try to get something that the  
22 community might find less of an eyesore as part of  
23 an approval?

24 I mean, I realize that there's a whole  
25 bunch of questions floating around. That

1 particular one seems to be resolvable?

2 THE WITNESS (Bowes): Yes. As we've  
3 said before, in fact, we've been directed by the  
4 Council to come up with some variations with more  
5 brick veneer, but we're certainly open to a more  
6 pleasing appearance of the facility. And the real  
7 question is is who makes that ultimate call. I  
8 believe it's the Siting Council. So we can  
9 clearly work through the D&M process and come up  
10 with some alternatives that the Council can  
11 ultimately approve.

12 DR. KLEMENS: Thank you.

13 THE CHAIRMAN: This is probably a good  
14 point to close this hearing which will be  
15 continued.

16 Do we have a date?

17 Because I think the next appearance or  
18 group that would -- or agency would be the Office  
19 of Consumer Counsel since they've already  
20 expressed, as have others, the fact that they just  
21 got information. Rather than have them start now  
22 and then have to go on with the review of the new  
23 information, the best place probably is to stop  
24 now.

25 So the Council announces that we will

1 continue this evidentiary portion of the hearing  
2 again at this same location, 10 Franklin Square,  
3 on Tuesday, January 12, 2016, again, at 11 a.m.  
4 and again in this hearing room.

5 I can note that anyone who has not  
6 become a party or intervenor, but who desires to  
7 make his or her views known to the Council, may  
8 file written statements with the Council until the  
9 record closes.

10 Copies of the transcript of this  
11 hearing will be filed with the Greenwich Town  
12 Clerk's office.

13 And I declare this portion of the  
14 hearing adjourned, and thank you for your  
15 participation.

16 (Whereupon, the witnesses were excused,  
17 and the above proceedings were adjourned at 3:31  
18 p.m.)

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CERTIFICATE

I hereby certify that the foregoing 175 pages are a complete and accurate computer-aided transcription of my original stenotype notes taken of the Council Meeting in Re: DOCKET NO. 461, APPLICATION OF EVERSOURCE ENERGY FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF A 115-KILOVOLT (kV) BULK SUBSTATION LOCATED AT 290 RAILROAD AVENUE, GREENWICH, CONNECTICUT, AND TWO 115-kV UNDERGROUND TRANSMISSION CIRCUITS EXTENDING APPROXIMATELY 2.3 MILES BETWEEN THE PROPOSED SUBSTATION AND THE EXISTING COS COB SUBSTATION, GREENWICH, CONNECTICUT, AND RELATED SUBSTATION IMPROVEMENTS, which was held before ROBERT STEIN, Chairman, at the Connecticut Siting Council, 10 Franklin Square, New Britain, Connecticut, on December 1, 2015.



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Lisa L. Warner, L.S.R., 061  
Court Reporter

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I N D E X

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RAYMOND GAGNON

JACQUELINE GARDELL

MICHAEL LIBERTINE

EXAMINERS:

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## 1 I n d e x (Cont'd):

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## 3 APPLICANT'S EXHIBITS

4 (Received in evidence)

5 EXHIBIT DESCRIPTION PAGE

6 II-B-30 Eversource Energy Late-Filed 14

7 Exhibits 4-7, dated 11/24/15

8 II-B-31 Eversource Energy Responses to 14

9 Office of Consumer Counsel

10 Interrogatories, Set III,

11 Questions 29, 32-40, and Set IV,

12 Question 43, dated 11/24/15

13 II-B-32 Eversource Energy Second 14

14 Supplemental Direct Testimony of

15 Kenneth Bowes, Raymond Gagnon and

16 Jacqueline Gardell with attachments,

17 dated 11/24/15

18 II-B-33 Eversource Energy Late-Filed 14

19 Exhibits 1-2, dated 11/24/15

20 II-B-34 Eversource Energy Late-Filed 14

21 Exhibit 3, Responses to Office of

22 Consumer Counsel Interrogatories,

23 Set III, Questions 30-31, dated 11/25/15

24

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## 1 I n d e x (Cont'd):

2

3 EXHIBIT DESCRIPTION PAGE

4 II-B-35 Eversource Energy Responses to 14

5 Office of Consumer Counsel

6 Interrogatories, Set IV,

7 Questions 41-42, 44-63, dated 11/30/15

8 II-B-36 Eversource Energy Responses to 14

9 Pet Pantry Super Discount Stores LLC

10 Interrogatories, Set II, dated

11 11/30/15

12 II-B-37 Eversource Energy Responses to 14

13 Field Point Estate Townhouses

14 Interrogatories, Set III, dated

15 11/30/15

16

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18 Additional requests for information: Pages

19 12, 120, 125, 150 and 155

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