

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

THE CONNECTICUT LIGHT AND POWER
COMPANY AND THE UNITED
ILLUMINATING COMPANY APPLICATION
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR
THE CONSTRUCTION OF A NEW 345-KV
ELECTRIC TRANSMISSION LINE AND
ASSOCIATED FACILITES BETWEEN THE
SCOVILLE ROCK SWITCHING STATION IN
MIDDLETOWN AND THE NORWAL
SUBSTATION IN NORWALK, INCLUDING
THE RECONSTRUCTION OF PORTIONS
OF EXISTING 115-KV AND 345 KV ELECTRIC
TRANSMISSION LINES, THE CONSTRUCTION
OF BESECK SWITCHING STATION IN
WALLINFORD, EAST DEVON SUBSTATION
IN MILFORD, AND SINGER SUBSTATION IN
BRIDGEPORT, MODIFICATIONS AT
SCOVILL ROCK SWITCHING STATION AND
NORWALK SUBSTATION, AND THE
RECONFIGURATION OF CERTAIN
INTERCONNECTIONS

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Statement of City of Milford Mayor James L. Richetelli Jr.

My name is James L. Richetelli Jr., and I am the Mayor of the City of Milford. I'd like to thank for allowing me to participate in this technical session and to offer my input on these very complex and difficult issues. I have heard the comments of my fellow Mayors and First Selectmen that preceded me and agree with much of what has been said.

I don't want my comments today to be misconstrued, nor do I want the Council to be under the misimpression that Milford is any way conceding that undergrounding these 345 kV transmission lines through Milford is not possible. It has not yet been demonstrated that additional undergrounding is not feasible. You have heard over and over again that Public Act 04-246 mandates that the lines be located underground when they are to be proximate to sensitive areas. I

would urge the Council renew their commitment to complying with this legislative mandate and ask you to require whatever potential solutions or technology are possible, including the creative use of technical applications or DC technology. However, in keeping with the Council's request for input on the issues implicated by Public Act 04-246 I would offer the following comment:

Public Act 04-246 is a legislative determination that EMF from high voltage transmission lines is a matter of public health concern which must be addressed by locating transmission lines underground where they abut areas of special concern, or, if undergrounding is not feasible, by instituting adequate buffers to protect against EMF exposure. If at some point in this proceeding it is determined to a certainty that additional undergrounding is not feasible, a buffer zone must be established where achievable in order to protect the health and lives of our children. Milford's position regarding buffer zones is outlined in the Towns' brief dated July 21, 2004. Specifically, it suggests a buffer zone of 300 feet from the transmission line where achievable, which recommendation is supported by the Department of Public Health.

The legal issues that would be implicated by such a buffer, such as the need for additional easement area and property takings must be addressed at some point. If a buffer is required to make the Applicants' installation safe to those in proximity to the line (as the legislation suggests) it would amount to an expansion of the right of way. Such an expansion in Milford, and the potential takings associated with an increased right of way would be no different and no more acceptable than an expansion of the right of way through Fairfield County through which the line is proposed underground specifically to avoid such a result.

To the extent that a 300 foot buffer is not practical, EMF mitigation techniques must be implemented to reduce EMF levels to ambient background levels at the edge of whatever buffer is implemented. Now that there is new awareness of the potential health and safety impacts of increased levels of EMF, the EMF levels from the all of the transmission infrastructure within the right of way must be reduced to a level that is safe; a "no net increase" standard cannot

be adopted. Further, EMF mitigation techniques instituted for this purpose must be demonstrated to be reliable, and the Council should mandate post-construction tests as well as periodic testing in the future to ensure that these levels remain within that acceptable limit.

If EMF mitigation cannot reliably and consistently bring EMF levels to within this acceptable range, the proposed transmission line should not be built. It is likely that this transmission infrastructure will be in existence for several generations of the children who live and play near it. If the line cannot be built in a way that ensures the safety and health of these children it should not be built until that can be demonstrated.

One of the areas of special concern identified by Public Act 04-246 is residential areas. The definition of residential areas is very simple. It is any area where a residence is located. The safety of our residents is Milford's paramount concern; we don't value the safety of our children who live in smaller neighborhoods along the right of way any less than we do those children who live in the more densely populated areas along the right of way.

Further, any measurement conducted to determine whether a residential property is within the buffer should be triggered not from the residential structure but from the closest property boundary, so as to include the front, back and side yards. As you can see from the aerial photos that were filed with this application, there are residential properties along much of the right of way in Milford. The yards of these homes contain pools, swingsets, and children's play areas in close proximity to the right of way. The areas in which children can be expected to play should be provided at least the same level of protection as the structure in which they live.

Finally, it is impossible at this point in the proceedings to provide you with meaningful input as to what specific buffer zones, tower heights and system configuration Milford would advocate if it were clear that the 345kV transmission line had to be located overhead.

1. First, we do not yet know whether undergrounding the line is impossible. The ROC group studies will be presented at the beginning of October, and Milford will then make a determination as to whether it will participate in any regional studies that may be conducted or whether it will re-commission Milford-specific load flow and harmonics studies. Additionally, the results of the DC studies have not yet been completed and DC technology remains a possibility. Given the legislative mandate, Milford cannot assume that undergrounding is not possible until evidence demonstrates that to be true.
2. Secondly, we do not yet know what the potential levels of EMF exposure will be. The record is incomplete about the impact of line loading on EMF levels and what system load level (average, peak or higher) should be used as a criteria. The City cannot draw any conclusion as to what buffers are required until it knows what levels of EMF will be emitted, both today and for the life of the infrastructure in the City.
3. Finally, there is insufficient evidence in the record to conclude that the EMF mitigation techniques that have been identified are reliable, safe and effective. It is imperative that the residents who may be subjected to this line have confidence in the efficacy of any mitigation technique that is implemented. The City cannot advocate that such techniques be implemented until it has been demonstrated that these methods of mitigation will reliably protect its residents.

Until such time as there is a route to consider, the studies have been completed and sufficient evidence provided, it is premature for the City to draw any conclusions about the potential specific applications of EMF buffers and mitigation techniques. Milford will, as it has throughout this process, continue to participate in every way possible. To that end the Council can expect that, if additional undergrounding is foreclosed and the City has all of the information necessary to make recommendations it will provide the Council with its input as soon as possible.

As you must be aware by now, the potential ramifications of this project are of great concern to the residents of Milford. I appreciate this opportunity to discuss this matter and look forward to a time in which Milford will have the information necessary to provide the Council with additional comment.