

Meeting Minutes
Meeting of April 24, 2008

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, April 24, 2008, in Hearing Room One, Ten Franklin Square, New Britain, Connecticut. The meeting was called to order with a quorum present by Daniel F. Caruso at 2:10 p.m.

Council Members Present:

Judge Daniel F. Caruso
Chairman
Barbara Currier Bell
Gerald J. Heffernan
(designee for Commissioner Downes)
Brian Golembiewski
(designee for Commissioner McCarthy)

Colin C. Tait
Vice Chairman
Daniel P. Lynch
James J. Murphy, Jr
Ed Wilensky
Philip T. Ashton
Frederick Riese
(designee for Commissioner McCarthy)

Staff Members Present:

Robert L. Marconi
Assistant Attorney General
S. Derek Phelps
Executive Director
Fred O. Cunliffe
Supervising Siting Analyst

Robert D. Mercier
Siting Analyst
Christina Lepage
Siting Analyst
Michael Perrone
Siting Analyst

Staff Members Absent:

David Martin
Siting Analyst

Recording Secretary:

Carriann Mulcahy

Minutes of April 10, 2008.

Mr. Heffernan moved to approve the Minutes of April 10, 2008, with the changes suggested by Dr. Bell, seconded by Mr. Murphy. The motion passed with Mr. Ashton abstaining.

DOCKET NO. 217 - Northeast Utilities Service Company application for a Certificate of Environmental Compatibility and Public Need for the construction of a 345-kV electric transmission line and reconstruction of an existing 115-kV electric transmission line between Connecticut Light and Power Company's Plumtree Substation in Bethel, through the Towns of Redding, Weston, and Wilton, and to Norwalk Substation in Norwalk, Connecticut. Development and Management Plan Amendment.

Mr. Ashton moved to approve the amendment to the Development and Management Plan, seconded by Mr. Heffernan. The motion passed with Dr. Bell abstaining.

DOCKET NO. 224 - Northeast Utilities Service Company application for a Certificate of Environmental Compatibility and Public Need for the replacement of a submarine electric transmission cable system from Norwalk, Connecticut to Northport, New York. Development and Management Plan Change Request.

Mr. Ashton moved to approve the change to the Development and Management plan with the condition that the applicant receive approval from the Department of Environmental Protection, seconded by Mr. Lynch. The motion passed unanimously.

DOCKET NO. 314 - Bay Communications, LLC application for the recertification of a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a wireless telecommunications facility at 170 Southeast Road, New Hartford, Connecticut. Request for Extension of Time.

Mr. Murphy moved to approve the request for extension, seconded by Mr. Ashton. The motion passed unanimously.

DOCKET NO. 345 - MCF Communications bg, Inc. and Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located off Exeter Drive in Sterling, Connecticut. Development and Management Plan.

Mr. Murphy moved to approve the Development and Management Plan, seconded by Mr. Wilensky. The motion passed unanimously.

TS-CING-136-080328 – New Cingular Wireless PCS, LLC request for an order to approve tower sharing at an approved telecommunications facility located at Exeter Drive, Sterling, Connecticut.

Mr. Ashton moved to approve the order for tower sharing; seconded by Mr. Murphy. The motion passed unanimously.

DOCKET NO. 351 - Optasite Towers LLC and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 93 Lake Street, Manchester, Connecticut. Draft Findings of Fact.

After reviewing the draft Findings of Fact, Chairman Caruso polled the Council members with Mr. Heffernan, Mr. Wilensky, Dr. Bell, Mr. Tait, Mr. Golembiewski and Mr. Murphy in favor of granting a Certificate for the proposed telecommunications facility and Mr. Lynch and Mr. Ashton abstaining.

Chairman Caruso directed staff to draft a favorable Opinion and Decision and Order to be reviewed at the next meeting.

DOCKET NO. 352 - The Connecticut Light and Power Company application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a proposed substation located at 264 Rood Avenue and 25 Shelley Avenue, Windsor, Connecticut. Draft Findings of Fact, Opinion, Decision and Order.

Mr. Tait moved to approve the draft Findings of Fact, Opinion, and Decision and Order, as amended; seconded by Dr. Bell. The motion passed unanimously.

Chairman Caruso requested a written vote on the record with Mr. Murphy, Dr. Bell, Mr. Wilensky, Mr. Tait, Mr. Heffernan, Mr. Ashton, Mr. Riese, Mr. Lynch and Chairman Caruso in favor of granting a Certificate for the proposed facility.

DOCKET NO. 353 - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 38 Maple Street, Kent, Connecticut. Draft Findings of Fact, Opinion, Decision and Order.

Mr. Ashton moved to approve the draft Findings of Fact, Opinion, and Decision and Order, as amended; seconded by Mr. Wilensky. The motion passed with Dr. Bell and Mr. Golembiewski abstaining.

Chairman Caruso requested a written vote on the record with Mr. Murphy, Mr. Wilensky, Mr. Tait, Mr. Heffernan, Mr. Ashton, Mr. Lynch and Chairman Caruso in favor of granting a Certificate for the proposed facility, and Mr. Golembiewski and Dr. Bell abstaining.

DOCKET NO. 354 - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at one of two locations off of Old Baird Road in Watertown, Connecticut. Draft Findings of Fact.

After reviewing the draft Findings of Fact, Chairman Caruso polled the Council members with Mr. Heffernan, Mr. Wilensky, Dr. Bell, Mr. Tait, Mr. Ashton, Mr. Lynch and Mr. Murphy in favor of granting a Certificate for the proposed telecommunications facility, Site B at 160 feet, with Mr. Golembiewski abstaining.

Chairman Caruso directed staff to draft a favorable Opinion and Decision and Order to be reviewed at the next meeting.

DOCKET NO. 358 – MCF Communications bg, Inc. and Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at one of two locations located at 347 Riverside Drive (Route 12), and 407 Riverside Drive (Route 12), Thompson, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status.

Mr. Ashton moved to approve the application as complete, the schedule for processing the docket as per staff recommendations, the appointment of Jessica Brito as custodian of the docket, the deposition of the transcript in the Town of Thompson, and a public field review and hearing in Thompson on Tuesday, June 10, 2008; seconded by Dr. Bell. The motion passed unanimously.

Mr. Murphy moved to approve intervenor status for Thompson Hills West Condominium Association, seconded by Dr. Bell. The motion passed unanimously.

DOCKET NO. 359 - Optasite Towers LLC and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 58 Montano Road or 618 Neipsic Road, Glastonbury, Connecticut. Request for Party/Intervenor Status.

Mr. Ashton moved to approve party status for the Town of Glastonbury, seconded by Mr. Wilensky. The motion passed unanimously.

Mr. Tait moved to approve intervenor status for Mr. Karl Wagener, seconded by Dr. Bell. The motion passed unanimously.

PETITION NO. 834 – Watertown Renewable Power, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 30 MW biomass gasification generating project located at Echo Lake Road, Watertown, Connecticut. Decision.

Mr. Ashton moved to approve the draft Findings of Fact, Opinion, and Decision and Order, as amended, seconded by Mr. Murphy. The motion passed with Mr. Golembiewski abstaining.

Chairman Caruso requested a written vote on the record with Mr. Murphy, Dr. Bell, Mr. Lynch, Mr. Tait, Mr. Heffernan, Mr. Wilensky, Mr. Ashton and Chairman Caruso in favor of approving the petition, with Mr. Golembiewski abstaining.

PETITION NO. 836 – Waterside Power LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction and operation of a permanent peaking facility located at 17 Amelia Place, Stamford, Connecticut. Draft Findings of Fact.

After reviewing the draft Findings of Fact, Chairman Caruso polled the Council members with Mr. Heffernan, Mr. Wilensky, Dr. Bell, Mr. Riese, Mr. Ashton, and Mr. Murphy in favor of granting a Certificate for the proposed facility, with Mr. Lynch and Mr. Tait abstaining.

Chairman Caruso directed staff to draft a favorable Opinion and Decision and Order to be reviewed at the next meeting.

PETITION NO. 851 – Dominion Nuclear Connecticut, Inc. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the replacement and relocation of two existing auxiliary boiler fuel tanks and sandblasting facility building located at the Millstone Power Station, Waterford, Connecticut. Decision.

Mr. Murphy moved to approve this petition, seconded by Mr. Ashton. The motion passed unanimously.

PETITION NO. 854 – PPL Savage Alert, Inc. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the installation of an ORMAT Energy Converter (OEC) at the Naugatuck Wastewater Treatment Facility located at 500 Cherry Street, Naugatuck, Connecticut. Decision.

Mr. Wilensky moved to approve this petition, seconded by Mr. Lynch. The motion passed unanimously.

TS-CING-012-080409 – New Cingular Wireless PCS, LLC request for an order to approve tower sharing at an approved telecommunications facility located at 12 Carpenter Road, Bolton, Connecticut.

Mr. Heffernan moved to approve the order for tower sharing; seconded by Mr. Ashton. The motion passed with Mr. Lynch abstaining..

Administrative Matters

Chairman Caruso announced that the next energy/telecommunications meeting is scheduled on Thursday, May 8, 2008, at 2:00 p.m., in Hearing Room One. Other calendar dates were also discussed.

The Council decided that weekly reports from dockets and petitions that have already been decided by the Council do not need to be included in their weekly packets.

Mr. Marconi updated the Council on current litigation proceedings.

Adjournment.

Chairman Caruso adjourned the meeting at 3:40 p.m..

Respectfully submitted,

Daniel F. Caruso
Chairman

DFC/cm