

Meeting Minutes
Meeting of March 9, 2010

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, March 9, 2010, 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 2:16 p.m.

Council Members Present:

Judge Daniel F. Caruso
Chairman
Colin C. Tait
Vice Chairman
Brian Golembiewski
(designee for Commissioner Marrella)

Daniel P. Lynch, Jr.
Edward S. Wilensky
Barbara Currier Bell
James Murphy
Wayne V. Estey
(designee for Commissioner DelGobbo)
Philip T. Ashton

Staff Members Present:

S. Derek Phelps
Executive Director
Fred Cunliffe
Siting Analyst Supervisor
Melanie Bachman
Staff Attorney
Christina Walsh
Siting Analyst

Robert Mercier
Siting Analyst
David Martin
Siting Analyst
Michael Perrone
Siting Analyst

Recording Secretary:

Carriann Mulcahy

Minutes of February 25, 2010.

Mr. Wilensky moved to approve the minutes of February 25, 2010, seconded by Mr. Golembiewski. The motion passed with Mr. Ashton abstaining.

DOCKET NO. 370 - Consolidated proceeding pursuant to the Connecticut Energy Advisory Board (CEAB) Request for Proposal (RFP) process under C.G.S. §16a-7c. Original application: The Connecticut Light & Power Company application for Certificates of Environmental Compatibility and Public Need for the Connecticut Valley Electric Transmission Reliability Projects which consist of (1) The Connecticut portion of the Greater Springfield Reliability Project that traverses the municipalities of Bloomfield, East Granby, and Suffield, or potentially including an alternate portion that traverses the municipalities of Suffield and Enfield, terminating at the North Bloomfield Substation; and (2) the Manchester Substation to Meekville Junction Circuit Separation Project in Manchester, Connecticut. Competing application: NRG Energy, Inc. application pursuant to C.G.S. §16-50l(a)(3) for consideration of a 530 MW combined cycle generating plant in Meriden, Connecticut. Draft Findings of Fact, Opinion, and Decision and Order.

The Council reviewed the Draft Findings of Fact and directed staff to make changes to be reviewed later in the meeting.

DOCKET NO. 390 - T-Mobile Northeast, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility located at 15 Orchard Park Road, Madison, Connecticut. Draft Findings of Fact.

Mr. Murphy moved to remove this item from the table this item, seconded by Mr. Wilensky. The motion passed unanimously.

After reviewing the draft Findings of Fact, Chairman Caruso polled the Council members with Mr. Tait, Mr. Murphy, Dr. Bell, Mr. Lynch, Mr. Wilensky, Mr. Ashton, Mr. Estey, and Mr. Golembiewski unanimously in favor of granting a Certificate for the proposed telecommunications facility, with the condition that the tower be expandable.

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

DOCKET NO. 399 - T-Mobile Northeast, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility located 166 Pawcatuck Avenue, Stonington, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status.

Mr. Ashton moved to grant intervenor status to Cellco Partnership d/b/a Verizon Wireless, seconded by Mr. Golembiewski. The motion passed unanimously.

DOCKET NO. 400 - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public need for the construction, maintenance and management of a telecommunications facility located at 343 Daleville Road, Willington, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status. Motion for Protective Order.

Mr. Murphy moved to approve the application as complete and approve the schedule for processing the docket as per staff recommendations, the appointment of Lisa Fontaine as custodian of the docket, the deposition of the transcript in the Towns of Willington and Mansfield, and a public field review and hearing in Willington on Tuesday, May 25, 2010; seconded by Dr. Bell. The motion passed unanimously.

Mr. Ashton moved to approve the Motion for Protective Order, seconded by Mr. Murphy. The motion passed with Mr. Estey voting no.

PETITION NO. 904 - The Connecticut Light and Power Company petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for proposed modifications to an existing CL&P substation located at 109 Olcott Street, Manchester, Connecticut. Amendment.

Mr. Wilensky moved to table this item, seconded by Dr. Bell. The motion passed unanimously.

TS-CING-053-100216 – New Cingular Wireless PCS, LLC request for an order to approve tower sharing at an approved telecommunications facility located at 5 Tyler Drive, Franklin, Connecticut.

Mr. Ashton moved to approve this request for tower sharing with the condition that the applicant shall take steps to ensure compliance with all applicable noise standards at the property boundary. The motion was seconded by Dr. Bell. The motion passed unanimously.

TS-CLEARWIRE-015-100219 – Clear Wireless LLC request for an order to approve tower sharing at an existing telecommunications facility located at 1280 Chopsey Hill Road a/k/a 1330 Chopsey Hill Road, Bridgeport, Connecticut.

Mr. Golembiewski moved to approve this request for tower sharing with the following conditions:

- The tower shall be modified per the structural analysis report dated February 16, 2010 and sealed by Thomas L. O'Brien, P.E.;
- The tower shall not exceed 100 percent of its post-construction tower rating; and
- Not more than 45 days after completion of construction, a signed letter from a Professional Engineer duly licensed in the State of Connecticut shall be submitted to the Council to certify that the modifications have been properly completed and the tower does not exceed 100 percent of its post-construction structural rating.

The motion was seconded by Mr. Wilensky. The motion passed unanimously.

*The Council recessed for a short break at 3:35 p.m.

*The Council resumed at 3:55 p.m.

*Staff Members Martin, Perrone, and Mercier, were excused to the office for the rest of the meeting.

*Mr. Lynch left during the break as he has recused himself from the Docket 370 proceeding.

DOCKET NO. 370 - Consolidated proceeding pursuant to the Connecticut Energy Advisory Board (CEAB) Request for Proposal (RFP) process under C.G.S. §16a-7c. Original application: The Connecticut Light & Power Company application for Certificates of Environmental Compatibility and Public Need for the Connecticut Valley Electric Transmission Reliability Projects which consist of (1) The Connecticut portion of the Greater Springfield Reliability Project that traverses the municipalities of Bloomfield, East Granby, and Suffield, or potentially including an alternate portion that traverses the municipalities of Suffield and Enfield, terminating at the North Bloomfield Substation; and (2) the Manchester Substation to Meekville Junction Circuit Separation Project in Manchester, Connecticut. Competing application: NRG Energy, Inc. application pursuant to C.G.S. §16-50(a)(3) for consideration of a 530 MW combined cycle generating plant in Meriden, Connecticut. Draft Findings of Fact, Opinion, and Decision and Order.

Mr. Tait moved to approve the Draft Findings of Fact, Opinion, and Decision and Order for the Manchester Substation to Meekville Junction Circuit Separation Project; seconded by Mr. Ashton. The motion passed unanimously.

Chairman Caruso requested a written vote on the record with Mr. Tait, Mr. Murphy, Dr. Bell, ~~Mr. Lynch~~, Mr. Wilensky, Mr. Golembiewski, Mr. Estey, Mr. Ashton, and Chairman Caruso in favor of denying, without prejudice, a Certificate for the proposed Manchester Substation to Meekville Junction Circuit Separation Project.

Mr. Tait moved to approve the Draft Findings of Fact, Opinion, and Decision and Order for the NRG 530 MW combined cycle generating plant; seconded by Mr. Estey. The motion passed unanimously.

Chairman Caruso requested a written vote on the record with Mr. Tait, Mr. Murphy, Dr. Bell, ~~Mr. Lynch~~, Mr. Wilensky, Mr. Golembiewski, Mr. Estey, Mr. Ashton, and Chairman Caruso in favor of denying the application for the NRG Meriden facility.

The Council reviewed the Draft Opinion and Decision and Order for the GSRP and directed staff to make appropriate changes to be reviewed at the next meeting.

Chairman Caruso polled the Council members with Mr. Tait, Mr. Wilensky, Mr. Golembiewski and Chairman Caruso in favor of split phase for the 3.2 mile section of segment 2; and Mr. Murphy, Dr. Bell, Mr. Estey, and Mr. Ashton in favor of the Delta configuration of the line for the 3.2 mile section of segment 2. The Council will deliberate more on this matter.

Administrative Matters.

Mr. Phelps announced that the next energy/telecommunications meeting is scheduled for Tuesday, March 16, 2010, at 2:00 p.m. for Docket 370 only. The next regular energy/telecommunications meeting is scheduled for Friday, March 26, 2010, at 2:00 p.m. Other calendar dates were also discussed.

Adjournment.

Mr. Ashton moved to adjourn the meeting, seconded by Mr. Wilensky. The motion passed unanimously.

The meeting adjourned at 5:35 p.m.

Respectfully submitted,

Daniel F. Caruso
Chairman

DFC/cm