

Meeting Minutes
Meeting of August 8, 2013

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Thursday, August 8, 2013, in Hearing Room Two, Ten Franklin Square, New Britain, Connecticut. The meeting was called to order with a quorum present by Chairman Stein at 1:05 p.m.

Council Members Present:

Robert Stein
Chairman
James J. Murphy
Vice Chairman
Robert Hannon
(designee for Commissioner Esty)
Larry Levesque
(designee for Chairman House)

Philip T. Ashton
Daniel P. Lynch
Barbara Currier Bell
Edward S. Wilensky
Michael Caron
(designee for Chairman House)

Staff Members Present:

Melanie Bachman
Acting Executive Director/Staff Attorney
Christina Walsh
Siting Analyst Supervisor
Fred Cunliffe
Siting Analyst Supervisor

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

Recording Secretary:

Carriann Mulcahy

Minutes of June 27, 2013.

Mr. Ashton moved to remove this item from the table, seconded by Dr. Bell. The motion passed unanimously.

Mr. Murphy moved to approve the minutes of June 27, 2013, seconded by Dr. Bell. The motion passed with Chairman Stein, Mr. Lynch, and Mr. Ashton abstaining.

Minutes of July 25, 2013.

Mr. Murphy moved to approve the minutes of July 25, 2013, seconded by Mr. Ashton. The motion passed with Mr. Hannon abstaining.

DOCKET NO. 402 - Celco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public need for the construction, maintenance and operation of a telecommunications facility located at 16 Bell Road Extension, Cornwall, Connecticut. Request for an Extension.

Mr. Ashton moved to approve an extension request until April 25, 2015 to construct this facility, seconded by Mr. Wilensky. The motion passed unanimously.

Mr. Levesque stepped in for Mr. Caron

DOCKET NO. 409A - New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 8 Barnes Road, Canaan (Falls Village), Connecticut. Reopening of this docket pursuant to Connecticut General Statutes § 4-181a(b) limited to Council consideration of changed conditions, revised tower site location and modified facility. AT&T Requests for Administrative Notice; Falls Village Inland Wetlands and Conservation Commission Requests for Administrative Notice; Falls Village Inland Wetlands and Conservation Commission Request for Applicant to pay costs and to close the proceedings; Hearing Transcript Errata Sheet; Falls Village Inland Wetlands and Conservation Commission Request to File Reply Brief; AT&T Objection to Falls Village Inland Wetlands and Conservation Commission Submission of New Testimony After Close of Hearing; Draft Findings of Fact.

Mr. Ashton moved to approve AT&T's request for administrative notice of the State Historic Preservation Office's letter to AT&T, seconded by Mr. Wilensky. The motion passed unanimously.

Mr. Murphy moved to approve AT&T's request for administrative notice of DEEP's letter to AT&T and AT&T's response to DEEP, seconded by Dr. Bell. The motion passed unanimously.

Mr. Ashton moved to approve Falls Village IWCC request for administrative notice of the text from the DEEP website on amphibians and reptiles (Appendix B), seconded by Mr. Murphy. The motion passed unanimously.

Mr. Ashton moved to approve Falls Village IWCC request for administrative notice of the publication "Amphibians & Reptiles in CT" (Appendix C), seconded by Dr. Bell. The motion passed unanimously.

Mr. Ashton moved to deny Falls Village IWCC's request for the applicant to pay costs, seconded by Mr. Wilensky. The motion passed unanimously.

The request from Falls Village IWCC to close the proceedings is moot. The record closed on July 25, 2013.

Mr. Ashton moved to deny Falls Village IWCC's request to file a reply brief, seconded by Mr. Wilensky. The motion passed unanimously.

Mr. Ashton moved to overrule AT&T's objection to Falls Village IWCC's Submission of New Testimony after the close of record, seconded by Dr. Bell. The motion passed unanimously.

The Council acknowledged that errors in the June 11, 2013 public hearing transcript were identified by AT&T and the party, Marc Rosen and Susan Pinsky, in their post hearing submissions. The Council also acknowledged that the audio recording of the June 11, 2013 public hearing meets the requirements for the record in a contested case under the Uniform Administrative Procedure Act, C.G.S. §4-177(d), and that the audio recording has been available to parties and intervenors since July 3, 2013.

After reviewing the draft findings of fact, Chairman Stein conducted a non-binding straw poll with Mr. Murphy, Dr. Bell, Mr. Wilensky, Mr. Levesque, and Chairman Stein voting that they find no changed conditions; Mr. Hannon and Mr. Ashton voting that they find changed conditions; and Mr. Lynch abstaining.

Chairman Stein directed staff to draft an Opinion and Decision and Order to be reviewed at the next meeting.

Mr. Caron stepped in for Mr. Levesque.

DOCKET NO. 433 – The United Illuminating Company Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 115/13.8 kilovolt substation located at 14 Old Stratford Road, Shelton, Connecticut. Development & Management Plan.

Mr. Ashton moved to approve the Development & Management Plan with the condition that UI provide correspondence to the Council regarding the disposition of the conservation parcel, once it is resolved with the US Army Corp and PURA, seconded by Mr. Murphy. The motion passed unanimously.

Chairman Stein is recused from the following matter. Vice Chairman Murphy presided over the discussion on the matter.

DOCKET NO. 435 - The Connecticut Light & Power Company Application for a Certificate of Environmental Compatibility and Public Need for the Stamford Reliability Cable Project, which consists of construction, maintenance, and operation of a new 115-kV underground transmission circuit extending approximately 1.5 miles between Glenbrook and South End Substations, Stamford, Connecticut and related substation improvements. Draft Findings of Fact.

After reviewing the Draft Findings of Fact, Vice Chairman. Murphy conducted a non-binding straw poll of the Council members with Dr. Bell, Mr. Lynch, Mr. Wilensky, Mr. Hannon,

Mr. Caron, Mr. Ashton, and Vice Chairman Murphy in favor of issuing a Certificate for the proposed facility, Canal Street Option, updated, in Stamford, Connecticut.

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

The Council took a five minute break. Thereafter, Chairman Stein resumed the Chair position.

PETITION NO. 957 - Bridgeport Fuel Cell Park, declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of a fuel cell electric generating facility located at Hancock Street, Bridgeport, Connecticut. Request to Amend.

Mr. Wilensky moved to approve the amendment, seconded by Mr. Ashton. The motion passed unanimously.

PETITION NO. 1064 - The Connecticut Light and Power Company declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to CL&P's Falls Village Substation located at Route 126, Canaan, Connecticut. Request to Amend.

Mr. Ashton moved to approve the amendment with the condition that CL&P utilize double-shifts to expedite the project in order to minimize generator run time, seconded by Mr. Caron. The motion passed unanimously.

PETITION NO. 1071 - The Connecticut Municipal Electric Energy Cooperative (CMEEC) petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the installation and operation of four (4) 2.49 MW electric generators and associated equipment located at 4 Matlack Road, Norwich, Connecticut. Decision.

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

Mr. Murphy moved to amend the decision to include the condition that the asphalt parking area be extended to include the fuel transfer station located near the northwest corner of the fenced compound, seconded by Dr. Bell. The motion passed unanimously.

TS-VER-102-130717A – Cellco Partnership d/b/a Verizon Wireless request for an order to approve the shared used of an existing telecommunications facility located at 350B Cossaduck Hill Road, North Stonington, Connecticut. Decision.

Mr. Ashton move to approve this tower sharing request with the following conditions:

- The coaxial cable and accessory equipment shall be installed as recommended in the Structural Analysis Report prepared by FDH Engineering dated April 5, 2013 and stamped by Christopher Murphy; and
- Within 45 days following completion of the antenna installation, Verizon shall provide documentation certified by a professional engineer that its installation complied with the recommendations of the structural analysis.

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

TS-VER-102-130717B – Cellco Partnership d/b/a Verizon Wireless request for an order to approve the shared used of an existing telecommunications facility located at 31F Clark Falls Road, North Stonington, Connecticut. Decision.

Mr. Ashton move to approve this tower sharing request, seconded by Dr. Bell. The motion passed unanimously.

TS-VER-134-130722 – Cellco Partnership d/b/a Verizon Wireless request for an order to approve the shared used of an existing telecommunications facility located at 175 Stafford Street, Stafford, Connecticut. Decision.

Dr. Bell moved to approve this tower sharing request with the following conditions:

- Prior to antenna installation, the tower modifications depicted in the drawings included in the Structural Modification Report prepared by Paul J. Ford and Company dated June 13, 2013, and stamped by Joseph Jacobs shall be implemented; and
- Within 45 days following completion of the antenna installation, Verizon shall provide documentation certified by a professional engineer that its installation complied with the requirements of the Structural Modification Report prepared by Paul J. Ford and Company dated June 13, 2013, and stamped by Joseph Jacobs.

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

TS-VER-137-130722 – Cellco Partnership d/b/a Verizon Wireless request for an order to approve the shared use of an existing telecommunications facility located at 421 Al Harvey Road, Stonington, Connecticut. Decision.

Mr. Ashton moved to approve this tower sharing request, seconded by Mr. Lynch. The motion passed unanimously.

Wind Regulations Resubmission

Mr. Ashton moved to resubmit the wind regulations to the Legislative Regulation Review Committee, seconded by Mr. Murphy. The motion passed unanimously.

Administrative Matters.

The following calendar events were discussed.

- Thursday, August 22, 2013, beginning at **1:00 p.m.** energy/telecommunications meeting, in Hearing Room Two, Ten Franklin Square, New Britain, Connecticut.
- Thursday, September 5, 2013, beginning at **1:00 p.m.** energy/telecommunications meeting, in Hearing Room Two, Ten Franklin Square, New Britain, Connecticut.
- Tuesday, September 10, 2013, beginning at **2:30 p.m., Field Review, and 3:30 p.m., Public Hearing** Docket No. 439 (MCM/AT&T) Field Review and Public Hearing in New London.
- Thursday, September 19, 2013, beginning at **1:00 p.m.** energy/telecommunications meeting, in Hearing Room Two, Ten Franklin Square, New Britain, Connecticut.

Adjournment.

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

Chairman Stein adjourned the meeting at 3:30 p.m.

Respectfully submitted,

Robert Stein
Chairman

RS/cm