



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

May 26, 2015

Senator Tony Hwang
Twenty-Eighth Senate District
Legislative Office Building
300 Capital Avenue, Suite 3400
Hartford, CT 06106-1591
Tony.Hwang@cga.ct.gov

RE: **PETITION NO. 1120** – The United Illuminating Company petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to the Hawthorne Substation located at 180 Hawthorne Drive, Fairfield, Connecticut.

Dear Senator Hwang:

The Connecticut Siting Council (Council) is in receipt of your recent correspondence dated May 14, 2015 concerning the above-referenced Petition No. 1120. Thank you for taking the time to provide the Council with your comments.

Before reaching a final decision on a petition, the Council carefully considers all of the facts contained in the evidentiary record. The record is developed by the Council, the petitioner, parties and intervenors in the proceeding, and members of the public who speak at the public hearing or submit written statements to the Council.

The Council developed a deliberate schedule to provide all persons an opportunity to participate. This schedule included a public hearing on March 31, 2015 in Fairfield for the convenience of the public. The Council continued the evidentiary hearing in New Britain on April 23, 2015, to allow parties and intervenors in this proceeding further opportunity to submit exhibits and cross examine the petitioner.

Please note that you can view all of the documents related to this proceeding on our website at <http://www.ct.gov/csc> under the "Pending Proceedings" link. You may also keep apprised of Council events on the website calendar and agenda.

Thank you for your interest and concern in this very important matter.

Yours very truly,

Melanie Bachman
Acting Executive Director

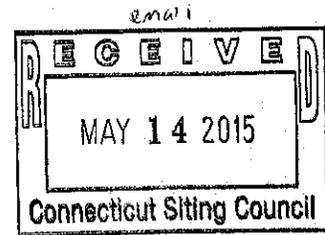
MAB/RM/lm

c: Council Members





State of Connecticut
SENATE



SENATOR TONY HWANG
TWENTY-EIGHTH SENATE DISTRICT

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LABOR & PUBLIC EMPLOYEES COMMITTEE

MEMBER
COMMERCE COMMITTEE
VETERANS' AFFAIRS COMMITTEE

May 14, 2015

Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

RE: Petition No. 1120 – The United Illuminating Company petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to the Hawthorne Substation located at 180 Hawthorne Drive, Fairfield, CT, 06825

Dear Chairman Stein, esteemed members of the CT Siting Council and Acting Executive Director Bachman:

I am writing to document my strong opposition to Petition No. 1120 and to respectfully request that you deny this flawed application.

The fact is that this petition has been disjointed, incomplete and troubling from the very beginning, both from a legal due process perspective and from a good-neighbor, open and inclusive point of view.

For starters, there was a lack of sufficient and timely notification of all abutting property owners, as evidenced in the petition file. In fact, were it not for the Siting Council's excellent field analysis, some abutting neighbors might never have been notified, as is statutorily required and incumbent upon the petitioner. The Council highlighted that deficiency in a letter to the petitioner dated Nov. 6, 2014.

Furthermore, it is my understanding that an abutting property owner, Gary Azarian of 192 Hawthorne Drive, has still not received official notification to this day. This non-action from the petitioner continued despite multiple public citations of this oversight in public hearings and testimonies. This lack of effort in meeting the first criteria of notifying all abutting property owners sets a bad precedent and raises serious concerns about the completeness of this petition process.

For these reasons alone, the petition fails to meet this Council's clearly outlined and critically important statutory requirements for approval. Furthermore, and importantly, the petitioner's mishandling of the application places into question the entire record of supporting documentation. Simply put, as the record shows, the petitioner has not instilled faith or good will to believe that it has done its due diligence on every aspect of this application.

Yet the issues with UI's petition and its disrespectful conduct during the council's review process are not limited to purely administrative matters.

Based on substantial evidence in the record provided by Concerned Citizens of North Stratfield (CCNS), the utility disregarded and failed to follow up on specific concerns and issues brought to their attention from the abutting property owners, despite their promises to do so.

In addition, rather than welcome the inclusion of abutting property owners in the Council's review of its petition, UI opposed two residents' applications for intervening party status. Thankfully, this Council determined that the residents met the requirements and approved their applications.

I wholeheartedly concur with what CCNS states in its written testimony to the Council, that: "They [UI] are dismissive of this entire process and we find it deplorable that any corporation believes they can behave in this manner. When the greater good of a community is cast aside and disregarded without a single thought there is something seriously wrong."

In reviewing the petition materials and based on my many conversations with abutting property owners, I am especially concerned about:

- A lack of outreach to abutting property owners and the overall neighborhood
- A lack of collaboration in the design phase of the substation, including provisions for lighting and large equipment access
- The significant increase in electric output created by the two 20 MVAR 115 kV transmission capacitor banks
- Safety hazards with regard to aluminum cutting, causing air-contaminating particles, and the usage of highly combustible mineral oil as a coolant

Overall, my concern with this petition is that there has been a fundamental lack of due process and a failure on the petitioner's part to genuinely collaborate with abutting neighbors, who have a vested interest in this matter, to ensure public safety and transparency.

Taken together, UI's handling of this petition represents a disrespect of due process and a blatant failure to meet the requirements set forth by this Council. This pattern of behavior should pose significant concerns for the Siting Council as it deliberates the important decision of Petition 1120 and as the one ultimately responsible for the governmental role of public safety and transparency.

For these reasons, I ask for an unequivocal denial of this petition and ask that UI return and begin a new petition process that sincerely engages the community on this project and follows the process and requirements of the Siting Council.

Thank you for your time and thoughtful consideration.

Tony Hwang