

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

RECEIVED
OCT 24 2006

CONNECTICUT
SITING COUNCIL

Re:

The United Illuminating Company Application
For a Certificate of Environmental Compatibility
and Public Need for the Construction, Maintenance
and Operation of a Proposed 115 kV/13 kV Electric
Substation and Associated Facilities Located
at 3-7 Wildflower Lane, Trumbull, Connecticut

Docket No. 317

October 24, 2006

MOTION TO CONTINUE HEARING

The Wildflower Coalition ("Coalition") requests the Council grant a continuance of the hearing in the above matter, schedule an additional discovery period and at least one further hearing date in the above referenced matter. The requested relief is necessitated by events outside of the Coalition's control and is essential to its rights of participation in this proceeding.

The Coalition became a party in this proceeding on August 31, 2006 and has participated fully throughout. Despite its involvement, the rights of its members have been gravely, and perhaps irrevocably, impacted by the events that have transpired in the last few days.

Alternative Site 6D

The Coalition met with the Town of Trumbull ("Town") in May, 2006 at which time the Town had a suggested location for an alternative site for the proposed substation on property owned by the Town (known as Site 6D). Site 6D was suggest to UI at a meeting held on May 10, 2006.¹ Site 6D was located on

¹ This was not this first time the Applicant had considered this property as it had reviewed three other locations on this same parcel- 6A, 6B and 6C in its initial site search.

an approximately 20 acre site, already encumbered by transmission lines and heavily wooded. Site 6D was also a location that would allow the substation to be located at least 300 feet away from any residential property line (as opposed to the approximately 137 feet on the proposed site).

In furtherance of this alternative, the Coalition has researched the Site 6D location and worked collaboratively with the Town, its counsel and Town staff. It also reviewed all of the information it received from the Applicant as to why it claimed Site 6D was not feasible and prepared to refute each of the issues that had been raised.

As of Thursday (October 19th) the Town supported the location of the substation at Site 6D. From that point there was a flurry of meetings that had a significant effect on the position on the Coalition in this hearing today:

1. The Applicant's representatives met with First Selectman Baldwin on Friday;
2. The Town had a meeting with neighbors from the 6D site and the Applicant's representatives (among them Marcia Wellman, Richard Reed, and Charles Eves) on Saturday morning;
3. Later that Saturday morning the Town (Town Council, First Selectman Baldwin and Attorney Schopick) met with the Applicant's representatives.

After these meetings, the Town announced that it was withdrawing its support of Site 6D due to reliability concerns and increased costs of which it had been unaware.²

Accuracy of the Proposal

During the second meeting that occurred on Saturday, the Applicant disclosed to Town Council member and First Selectman Baldwin that the 5 to 10 year plan for the Wildflower Site is to expand the site to become a transmission station. The application makes a vague reference to “expansion” but does not go into detail.³

If the Applicant had intended to develop this site into a transmission station site, or even a larger substation site that should have been disclosed, not casually mentioned in a private meeting that excluded several of the parties involved, two days before the hearing.

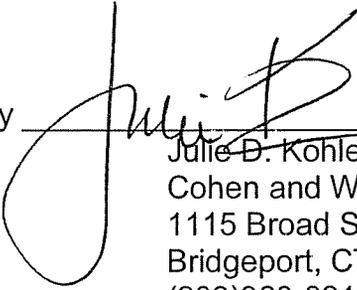
Conclusion

With only one business day remaining before the hearing, Site 6D was withdrawn from the proceeding during a weekend and at the eleventh hour. Also at the eleventh hour it was disclosed (and not to the abutters who would be the most affected) that this substation was planned to be a transmission station within 10 years. The Coalition is entitled to the opportunity to conduct discovery

² It should be noted that in all of the municipal consultation materials in which sites 6A, 6B and 6C are discussed – reliability is never raised as an issue or a reason to reject the site. Further, in all previous correspondence between the Applicant, the Town and the Coalition, reliability is also not mentioned as a factor.

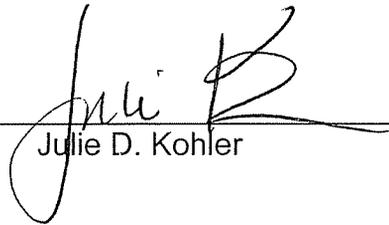
³ “Expansion” could mean a twenty foot increase to the size of a substation fenced area, not contemplate a development into a transmission station, particularly given the proximity of the residences in this area.

this new material and information that has been disclosed, and have enough time in which to consider the impact and alternatives.

By  _____
Julie D. Kohler, Esq.
Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604
(203)368-0211
Its Attorneys

Certification

This is to certify that a copy of the foregoing has been mailed, this date to all parties and intervenors of record.

 _____
Julie D. Kohler