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December 19, 2007

Daniel F. Caruso, Chairman
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

RE: PETITION NO. 831 Waterbury Generation LLC Petition for a Declaratory Ruling
No Certificate of Environmental Compatibility and Public Need is Required for
the Construction of an Electric Generating Facility and Associated Transmission
Line Tap Located at 725 Bank Street, Waterbury, Connecticut

Dear Chairman Caruso:

Enclosed please find the prefiled testimony of Dorian E. Hill on behalf of The
Connecticut Light and Power Company in the above-referenced Petition.

Very truly yours,


Robert S. Golden, Jr.

Copy to Service List

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	Waterbury Generation, LLC	Joey Lee Miranda, Esq. Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 (860) 275-8200 (860) 275-8299 fax
<i>Intervenor (if approved on December 13, 2007)</i>	Connecticut Light & Power Company	Robert Carberry, P.E. Manager, Transmission Siting and Permitting Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 P: 860-665-6774 carbere@nu.com Stella Pace Transmission Interconnection Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 860-665-5426 860-665-2820 Vincent P. Pace Senior Counsel Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270 860-665-5426 860-665-5504

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

**WATERBURY GENERATION LLC PETITION :
FOR A DECLARATORY RULING NO :
CERTIFICATE OF ENVIRONMENTAL : PETITION NO. 831
COMPATIBILITY AND PUBLIC NEED IS :
REQUIRED FOR THE CONSTRUCTION OF AN :
ELECTRIC GENERATING FACILITY AND :
ASSOCIATED TRANSMISSION LINE TAP : DECEMBER 19, 2007
LOCATED AT 725 BANK STREET, :
WATERBURY, CONNECTICUT. :**

**PRE-FILED TESTIMONY OF DORIAN E. HILL ON BEHALF
OF THE CONNECTICUT LIGHT AND POWER COMPANY**

Q. Please identify yourself for the Council.

A. My name is Dorian E. Hill and I am the Manager, Transmission Line and Civil Engineering, Transmission Engineering Department for Northeast Utilities Service Company ("NUSCO"). NUSCO is a Northeast Utilities system company that provides engineering and other support services to The Connecticut Light and Power Company ("CL&P") and other affiliate companies. My business address is Northeast Utilities Service Company, P.O. Box 270, Hartford, CT 06141-0270. I have attached my resume as Appendix A.

Q. What is CL&P's interest in this proceeding?

A. CL&P is primarily concerned with the transmission interconnection, or line tap, which will eventually be owned and operated by CL&P. Any transmission line interconnection to the Baldwin Street Substation from the proposed site of the Petitioner's plant will cross public streets and thus will need to be owned and operated by CL&P, the franchised electric distribution company in Waterbury. As eventual owner of this interconnection line, CL&P needs to be assured that the interconnection to CL&P's transmission system conforms to all appropriate standards and engineering

practices. In addition, CL&P seeks to ensure that the required substation work within the Baldwin Street Substation, primarily the installation of a new 115-kV circuit breaker and associated 115-kV disconnect switch and buswork, is also approved pursuant to this petition because the substation work is an integral part of the transmission interconnection.

Q. Will the work within the Baldwin Street Substation have any significant environmental effects?

A. No. The installation of a 115-kV SF₆-filled circuit breaker and associated equipment is necessary to complete the connection of the interconnecting transmission line, and CL&P will construct it within the existing fenced area of the Substation. CL&P expects to install the circuit breaker and associated equipment in an area of the Baldwin Street Substation property that previously has been disturbed and this installation will not cause any disturbance to portions of the property that are not already disturbed. Moreover, the installation and operation of a 115-kV circuit breaker and associated equipment will not contribute to noise or air emissions in this highly industrialized part of the City of Waterbury that borders Route 8.

Q. Is it your understanding that the Petitioner is planning to construct an interconnection line to CL&P's Baldwin Street Substation for most of its length along a railroad right-of-way ("ROW") that is owned by the Connecticut Department of Transportation ("CDOT") and managed by the Metro-North Commuter Railroad ("Metro-North")?

A. Yes. According to its Petition, the Petitioner contemplated two alternative locations for the remaining portion of its transmission line tap where it would depart from the Metro-North ROW and proceed over the remaining distance along either the north or south side of CL&P's existing transmission line ROW to CL&P's Baldwin Street Substation. The Petitioner's responses to the CSC Pre-hearing Interrogatories dated November 26, 2007, in particular Question 10 and Attachment F, indicate a preference for the southerly alternative.

Q. Will any of this route use existing CL&P ROW to the railroad or rights CL&P has to share along the Metro-North railroad ROW?

A. No. The Petitioner will need to acquire rights across land adjacent to the CL&P transmission line ROW between the railroad and the Baldwin Street Substation. CL&P has no rights along the railroad for the remainder of the route north to the Petitioner's Project site.

Q. Has CL&P provided the Petitioner a copy of its standard form easement for ROW expansion?

A. Yes.

Q. Is this easement form used to obtain rights from railroad companies?

A. CL&P would like it to be used, but based on past experience, railroad companies typically do not grant permanent easements in this form.

Q. Does CL&P have any concerns about the proposal to construct a 115-kV interconnection line along the Metro-North ROW?

A. Yes. CL&P and affiliate companies of Northeast Utilities have experienced difficulties in the past with constructing and maintaining transmission facilities within a railroad ROW because of physical constraints presented by typical railroad facilities, and restrictions in typical railroad agreements present numerous problems. CL&P needs to confirm that any transmission line can be installed along the railroad ROW consistent with applicable safety and reliability requirements, and that the terms of the agreement permitting the line to be built and maintained would be acceptable to CL&P.

Q. Would you expound on some of the problems that CL&P and its NU-affiliate companies have encountered when developing transmission facilities within a railroad ROW?

A. Railroad ROWs present unique difficulties for collocation with transmission facilities. There are always a number of technical issues that need to be resolved, such

as property rights issues, clearances between existing facilities, as well as engineering, construction, operations and maintenance considerations that are unique to railroads. All of these issues must be addressed before transmission facilities can be constructed that meet the Institute of Electrical and Electronic Engineers (IEEE), ANSI C2 National Electrical Safety Code, Conn. Gen Stat. § 16-243 and Regulations of Connecticut State Agencies §§ 16-11-137 - 16-11-139, Independent System Operator-New England, Inc., Occupational Safety and Health Administration, railroad worker safety practices, and CL&P standards.

Q. Are there other items that concern you?

A. Other items that could be of concern in a railroad ROW agreement are:

- Does the duration of the agreement and reasonable extension and termination provisions protect the long-term interests of CL&P?
- The cost liability to CL&P from License fees, flagman protection and other services.
- Liability for transmission line repair and replacement costs or costs to modify railroad facilities because of the existence of the transmission facilities.
- Liability for transmission line relocation including land rights to provide for future change in railroad facility location, height or grade.
- Removal costs upon the end or early termination of the agreement.
- Transferability of the agreement to CL&P.
- Is there enough space to quickly and safely access, inspect, construct and maintain the transmission line, or will lateral access rights be required from other landowners?
- Is there enough clearance to vegetation growing or which may grow outside the railroad corridor, and will rights be obtained to trim such vegetation?
- Are there existing environmental issues?
- What rights does the Railroad retain for future expansion by the Railroad? Who is responsible to acquire additional transmission rights for displaced facilities resulting from future expansion by the Railroad?

- What rights has the Railroad granted to other parties which, if exercised, could force a relocation of the transmission line?
- Will the agreement be recorded, and will it transfer with the fee to subsequent purchasers or assigns?

Q. Has CL&P agreed with the Petitioner regarding the required terms in any agreement or license for a ROW?

A. Not yet, but in its Petition to the Council the Petitioner has represented that in its consideration of its routing to interconnect at the Baldwin Street Substation that its final design layout will meet appropriate CDOT/Metro-North and CL&P standards. We take this to mean that Petitioner will consult with CL&P during any negotiations between the Petitioner and CDOT/Metro-North and that CL&P's needs will be adequately addressed in the final agreement or license.

Q. Are there enough details developed in this record so far for you to comment on the acceptability of the ROW conditions for the transmission line interconnection?

A. No, because to date we are not aware of any drafts or signed agreements specific to this location between the Petitioner and CDOT/Metro-North.

Q. If no agreement is in place, what would be a solution to ensure that, should the Council approve this Petition, that the transmission facility interconnection meets the required standards and corporate policies of CL&P?

A. I would urge the Council to adopt as a condition of approval language similar to that in found in Condition No. 7 in Petition No. 784, *Plainfield Renewable Energy, LLC petition for a declaratory ruling no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance, and operation of a 37.5 MW Wood Biomass Generating Project, Plainfield, Connecticut. June 7, 2007*

Q. Do you have proposed language for such a condition?

A. Yes. I recommend that if CL&P is requested and accepts, a requirement to construct, or is required to assume ownership or operation of any portion of the interconnection transmission line not located on CL&P's property, the following conditions shall apply to any portion to be owned by CL&P:

The Petitioner shall provide the Council with a certification from CL&P to the effect that CL&P is satisfied (as determined by CL&P's in its sole discretion) as to the following conditions in subsections (i)-(v) below:

(i) That the transmission line design and studies of potential electric effects on railroad facilities to be completed by the Petitioner's qualified consultant, by CL&P's consultant, or by CL&P employees, comply with applicable engineering, safety and other related laws, rules, regulations, standards and practices.

(ii) That the Petitioner has demonstrated to CL&P's satisfaction that the Petitioner has acquired all rights necessary to enable CL&P to access, construct, operate, repair, replace and maintain the transmission line.

(iii) That there are no underlying encumbrances, environmental impairments or other obstacles to the construction and maintenance of the transmission line.

(iv) That all such necessary rights are assignable to CL&P.

(v) That the Petitioner has undertaken, by agreement satisfactory to CL&P, to indemnify and protect CL&P against any expenses resulting from the exercise by the property owner of any right to require relocation of the line.

Q. Does this conclude your testimony?

A. Yes.

Appendix A

Resume of Dorian E. Hill

Title: Manager, Transmission Line and Civil Engineering, Transmission Engineering Department

Home Address: 65 Maple Road
Portland, CT 06480

Degree: 1969 Bachelor of Science in Civil Engineering, University of Connecticut

Experience: July 1969 - Present, now Manager, Transmission Line and Civil Engineering, Transmission Engineering Department (retirement pending)

Manager of Transmission Line and Civil Engineering group, 19 people, 2003 to present

Supervisor of Transmission Line Engineering group, five to eight people, 1996 to 2003

Project Engineer for many major transmission line projects in Connecticut and Massachusetts 1976 to 1996

Participated and coordinated in the preparation of major state siting agency applications, discovery answers, hearing testimony, and appeared as technical witness at public hearings

Served as utility company representative at regulatory agencies' meetings, and liaison to agencies' staff

NU 1993 Chairman's award for leading the team for completion of construction of the Pequonnock to Ely Avenue 115-kV line, a joint effort of the Connecticut Light and Power Company and the United Illuminating Company along the New Haven to New York MetroNorth Railroad

Served on several company committees to improve processes, including leading one of three WorkOut teams, April 2004 to January 2005

Professional Affiliations:

- Northeast Transmission Group Member 1983 - Present, Chairman 1985-1986, 2002-2003
- Member, Edison Electric Institute, Electric Utility Representative Task Force on the National Electrical Safety Code (NESC) C2, August 1987 - January 1998
- Alternate Member and Principal Member, NESC Subcommittee 5 for Sections 24 through 27, August 1987 - January 1998.
- Council On Large Electric Systems (CIGRE) 2001 - present
- Canadian Electricity Association – Wind and Ice Storm Mitigation Interest Group 2000 - present

Professional Qualifications:

- Registered Professional Engineer in Connecticut
- Registered Professional Engineer in Massachusetts