

**Testimony of  
THE UNITED ILLUMINATING COMPANY  
before the  
ENERGY AND TECHNOLOGY COMMITTEE  
Re RAISED BILL 6250,  
AN ACT CONCERNING THE SITING COUNCIL  
FEBRUARY 3, 2011**

The United Illuminating Company (“UI”) is pleased to submit comments to the Energy and Technology Committee on **Raised Bill 6250, AN ACT CONCERNING THE SITING COUNCIL.**

UI opposes certain provisions of Raised Bill 6250 that would make significant changes to the siting standards applicable to electric facilities. Lines 196-198 of the Bill would delete the existing section 16-50p(h) standard that “a public need exists for an energy facility if such facility is necessary for the reliability of the electric power supply of the state.” This standard has served the State well, by setting forth the fundamental premise that the State needs reliable electric power supply. By deleting this standard, the Bill would likely lead to administrative and court litigation on whether reliability remains a basis for siting, and whether something else in addition to or instead of reliability should be demonstrated for there to be a finding of public need. This would likely delay the siting and construction of reliability projects, thereby putting the State’s electricity reliability in jeopardy. Section 16-50p(h) should not be deleted as part of this Bill, which otherwise seems to relate primarily to communications towers.

Lines 91-92 of the Bill would require the Council to consider “the manufacturer’s recommended safety standards for any equipment, machinery or technology.” The goal of assuring safety is a good one. UI is concerned, however, that it would be impossible for the Siting Council to consider and rule upon this information. An electric facility, for example, could have thousands of pieces of “equipment, machinery or technology.” The Siting Council already has the authority to consider safety issues, and to require that an applicant construct a facility in accordance with applicable safety standards. The Siting Council should not be in the position of seeking to duplicate the work of fire marshals,

the National Electric Safety Code, building codes, building inspectors and others whose primary job is the public safety. Since the Siting Council already considers safety, the language proposed in the Bill can be deleted. Alternatively, the language should be modified to provide for the Siting Council to find and determine “That it has considered the safety of the proposed facility.”

UI is also concerned that the language proposed to be added at lines 82-90 of the Bill could result in significant unnecessary expense and suboptimal location of infrastructure. The new language would preclude the Siting Council from approving a telecommunications tower within 750 feet of a school, day care center, place of worship or private residence, unless the Siting Council determined “that there are no technically, legally, environmentally and economically feasible alternative sites within the municipality that are more than seven hundred fifty feet from such school, day care center, place of worship, or residence.” This would mean, for example, that a telecommunications tower to be used for a utility’s own internal communications, to facilitate the utility’s meeting its public service company obligations, could not be sited at the same location as other utility equipment, operations or property if there was any other site that was technically, legally, environmentally and economically feasible anywhere within the municipality. This could impede the utility’s provision of service and add to the cost borne by a utility’s ratepayers.

Lines 370-374 of the Bill would require the Siting Council to consider an alternative site location proposed by a municipality. UI does not object to this addition, provided that language is added to make clear that, since the applicant has already provided detailed information on the proposed location as well as other alternative sites, the burden is on the municipality to establish that the alternative location is preferable to the location and alternatives proposed by the applicant.