



**Connecticut
Light & Power**

The Northeast Utilities System



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**TESTIMONY OF STEPHEN GIBELLI ON BEHALF OF
THE CONNECTICUT LIGHT AND POWER COMPANY**

**Energy and Technology Committee
March 20, 2012**

**RE: RAISED BILL 5543 AN ACT CONCERNING THE CREATION AND EXPANSION OF
MUNICIPAL UTILITIES**

Good afternoon. My name is Stephen Gibelli and I am Associate General Counsel for Northeast Utilities Service Company, appearing on behalf of the Connecticut Light and Power Company.

This proposed bill would allow for a taking of an electric distribution company's facilities by eminent domain. The bill would also allow a municipal electric utility to serve other towns and purchase, condemn, or acquire such distribution facilities from the electric distribution company.

CL&P has several concerns about this bill.

CL&P is concerned that this legislation proposes to take its facilities without just compensation, thereby potentially violating CL&P's Constitutional rights under the Fifth and Fourteenth Amendments of the U.S. Constitution.

Connecticut law already provides a process for municipalization as set forth in sections 213 through 232a of Title 7. Connecticut's existing law does not violate CL&P's Constitutional rights and is consistent with neighboring states' municipalization laws regarding the taking of property. Therefore, this legislation is not necessary.

Finally, utility facilities do not end at each municipality's border. A distribution system is composed of an elaborate, intertwined electric grid that serves the entire state. Facilities in one town often are a critical piece of another town's electric supply system. Municipalization proposals need to consider the interdependency of electric facilities across towns and the impact one town becoming a municipal utility might have on the quality of electric service to another town.

Thank you.