



Town of Fairfield

Office of the First Selectman
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For Immediate Release

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Significant Changes to Regulations Governing the Connecticut Siting Council by the Connecticut General Assembly Applauded by Town of Fairfield

HB 5507 Passed on May 8 Corrects Regulatory Bias Favoring Utility Companies

Fairfield, CT, May 9, 2024— Yesterday the Connecticut General Assembly took an important step towards correcting regulatory bias currently favoring utility companies with the passage of HB 5507- An Act Concerning State Agency and Court Proceedings Relating to Electric Transmission Lines. HB 5507's aim of achieving a fairer balance with the needs and rights of Connecticut residents, businesses, and municipalities in matters relating to infrastructure siting, use of land, and construction, if signed into law by Governor Lamont, will be the most significant change to the regulations governing the Connecticut Siting Council (CSC) since its creation in 1981 under Connecticut Public Act 81-369.

"We are grateful for the collaborative effort by members of the State House and Senate that led to the passage of HB 5507," said Fairfield's First Selectman Bill Gerber. "Our Administration would like to personally thank Representatives Jennifer Leeper and Senator Tony Hwang of Fairfield, Representative Steven Stafstrom of Bridgeport and Representative Matt Blumenthal of Stamford for their extraordinary work in writing and consolidating different committee versions of this bill, with input from many diverse parties. HB 5507 passed 115 to 29 in the House and 33 to 2 in the Senate."

"These reforms to the Siting Council will help ensure that the decisions they make regarding our utilities, electric transmission infrastructure, and transmission lines are more informed, comprehensive, transparent, and thoughtful. All communities deserve this," said Jennifer Leeper (D-Fairfield). "We never could have done this without the incredible leadership from the community. I am so grateful for all the partners who have sacrificed a lot to advocate for a better outcome in our docket and better process in the future. While the Town took the lead on fighting the docket outcome, I am happy that I was successfully able to fight to reform the broken Siting Council process. I also want to thank the Governor's office for their commitment to working with us to get to a mutually desirable outcome and lastly, my House colleagues Rep. Stafstrom, Rep. Blumenthal, and Rep. Steinberg for their determined commitment to this effort."

State Senator Tony Hwang (R-Fairfield) said, "The Fairfield, Southport and Bridgeport community has undergone a tumultuous and frustrating process over the last year during the CT Siting Council docket review process and the repercussion of CSC's recent approval of United Illuminating's plan to build large electrical transmission lines through Bridgeport and Fairfield. That CSC process showed a lack of transparency and accountability for intervenor rights. The remarkable grassroots leaders and community organizations led and deserve tremendous credit for successfully advocating for this bill's passage. HB 5507 amends the CSC's review process to ensure all voices are heard and all information is considered and vetted. It expands the ability for intervenors in CSC decisions to obtain judicial review of an order issued. I am thrilled about its passage and encourage Governor Lamont to sign it into law."

"The Legislature took decisive action to address some of the shortcomings in the Siting Council process based on the unfortunate lessons learned by the City of Bridgeport and Town of Fairfield during the UI monopole debacle," said Steve Stafstrom (D- Bridgeport), House Chair of the Judiciary Committee. "HB 5507 will provide greater insight and transparency into the process, allow for greater municipal participation, reduce undue influence from the utilities, protect private property and environmental justice communities, and force the Council to consider the economic impact of its decisions. I am proud to have led floor passage and to have worked with my Legislative colleagues and town officials over the past few months to craft the legislation."

"The Connecticut Siting Council has vital responsibilities—and awesome powers," said State Rep. Matt Blumenthal, (D-Stamford). "For far too long, it has had a reputation for being opaque, imperious, and too cozy with our state's public utilities. These reforms will help ensure that the Council has the independence, procedures, and transparency necessary to properly vet proposed projects and verify they serve our ratepayers and communities. Our state deserves nothing less."

Co-signers and supporters of the bill included Representatives Cristin McCarthy Vahey (D-Fairfield) and Sarah Keitt (D-Fairfield).

The passage of this bill has particular significance for Fairfield and Bridgeport, both of which struggled for months against an application by United Illuminating (UI) to install a 7.3 mile stretch of massive monopoles requiring 19.25 acres of permanent easements on private and public property along the Metro North Railroad (MNR) tracks. In addition to subjecting property owners to material restrictions on use of their land, this UI project would scar both municipalities' visual landscapes for generations. Some properties owners were not aware of UI's plans until workers appeared in their backyards marking trees for destruction, highlighting deficiencies in the current notification requirements.

While the CSC recognized the excessive destruction that would be caused by UI's MNR-South proposal by not voting for it, the CSC nonetheless proceeded to approve an alternative, conceptual route to the north of the railroad tracks for which no detailed designs have been submitted. Property owners along any potential MNR-North route have been denied due process and, depending on UI's future design, could be facing permanent easements over their properties with no right to defend themselves. In response, the Town of Fairfield, the City of Bridgeport, Sasco Creek Neighbors Environmental Trust, Inc. (SCNETI), the Pequot Library, Southport Congregational Church, as well as several other intervening parties, have filed appeals with the CT Superior Court against this decision by the Siting Council.

“Fairfield’s grassroots organizations have worked tirelessly with our Administration and Mike Smith from the lobbying firm Rome Smith Kowalski to advocate for passage of this bill,” said Gerber. “Their citizen advocacy gave voice to residents and bolstered the role of government in protecting the Town for future generations.”

If signed into law by Governor Lamont, this legislation will strengthen and clarify the Connecticut Siting Council’s requirements for projects submitted by utility companies, including the following:

- More definitive and clear notice to residents regarding project design and impact on abutters
- Automatic intervenor status for impacted residents and businesses
- More weight given to fiscal impact of a project
- More robust financial analysis of proposed project and alternatives
- Access to independent experts
- Municipalities can recoup legal fees if they win appeal
- Increase municipal participation funds for towns
- Requiring any project that takes land to be classified as a modification and not a rebuild

“We all recognize the need for efficient, resilient power infrastructure, but reject the approach taken by utility companies and their regulators who appear to have deprioritized the environment, personal property rights and technology advances that can make their infrastructure less intrusive instead of more,” said Stephen Ozyck, co-founder of SNETI.

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