



Town of Fairfield

Office of the First Selectwoman

Brenda L. Kupchick
First Selectwoman
203-256-3030

725 Old Post Road
Fairfield, CT 06824
bkupchick@fairfieldct.org

October 10, 2023

VIA EMAIL TO: Franklyn.Reynolds@avangrid.com
AND FIRST CLASS US MAIL

Mr. Frank Reynolds, President & CEO
United Illuminating Company
180 Marsh Hill Road
Orange, CT 06477

**RE: CSC Docket No. 516, Application For Development Within 7.3 miles of the
DOT's Metro-North Railroad corridor in Bridgeport and Fairfield**

Dear Mr. Reynolds:

I am writing with regard to the above referenced application that the United Illuminating Company ("UI") has pending before the Connecticut Siting Council ("CSC"). As you know, UI conducted a public meeting last Wednesday, October 4th, to address the concerns of residents, businesses, and property owners in our community. Unfortunately, the manner in which the meeting was conducted only exacerbated the community's genuine concerns and serious distrust.

The consensus of those in attendance was that the meeting was intended by UI to just placate the community. UI's representatives in attendance seemed to be disingenuous with many of their statements and evasive when responding to reasonable and straightforward questions. In many instances, UI's representatives responded that they would have to get the answer from someone else and respond back later. The community was frustrated that UI did not have the necessary representatives in attendance who could respond to their questions. Three hours into the meeting, the community was outraged to find out that UI's counsel for this application was sitting in the audience the entire time. At no point in time did counsel for UI attempt to correct the record of the meeting including when UI's representatives made incorrect statements regarding UI's filings with the CSC or were unable to answer questions about the CSC process.

From the onset of the meeting, UI's representative stated that UI wanted to work with the Town and members of the community, and even went as far as stating that members of the community can file a petition to intervene in the pending application. However, UI has opposed every petition to intervene and motion for a continuance that was filed by the Town of Fairfield and numerous members of the community.

UI's representatives explained that they could not allow the community to have more time to provide input regarding the pending application because Connecticut law required that the CSC render its decision by no later than within one year of the date that the application was filed (i.e., March 17, 2024). In response, community leaders and counsel for the intervenors requested that UI withdraw and immediately re-file the application to re-start the statutory deadline for the CSC decision. It was also pointed out to UI that it is standard practice throughout administrative agencies in Connecticut for an applicant to withdraw and re-file an application to re-start the statutory deadline for the close of a public hearing or the agency's decision. Such action by UI would demonstrate a measure of good faith and provide a significant step for UI to repair the distrust it has within the community. It would also allow UI to genuinely provide the community with an opportunity to offer thoughtful input and work collaboratively to find potential improvements to the proposed development that would address critical concerns. The fact that UI has summarily rejected these requests would cause any reasonable person to conclude that UI is not interested in a collaborative effort and is instead focused on taking advantage of procedural avenues that they believe provide a benefit to UI. I strongly urge UI to acknowledge the considerable pleas from our community and withdraw and re-file its application.

I thank you in advance for your anticipated consideration of our request. I look forward to hearing back from you soon.

Sincerely,



Brenda L. Kupchick
First Selectwoman

cc: Senator Richard Blumenthal
Congressman Jim Himes
Governor Ned Lamont
Attorney General William Tong
CT Department of Transportation Commissioner Garrett Eucalitto
Attorney Tim Herbst, Marino, Zabel & Schellenberg, PLLC
Attorney Mario F. Coppola, Berchem Moses PC
Attorney Christopher B. Russo, Russo & Rizio, LLC