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## Acquisition of Real Property

### Sec. 16-50z-1. Statement of intent to acquire

Any person engaged in the transmission of electric power or fuel, as defined in Section 16-50i of the Connecticut General Statutes, intending to acquire real property in contemplation of a possible future transmission facility under the provisions of Section 16-50z of the Connecticut General Statutes, shall, prior to entering any binding commitment therefor, file with the Council a statement of intent to acquire such property. This section applies to an application that incorporates an electric transmission line and an electric substation, but does not apply to an application for an electric substation only. The statement of intent to acquire real property shall include:

- (a) the reasons for the proposed acquisition;
- (b) a description of the property;
- (c) the names and addresses of any persons having an interest in said property;
- (d) the relationship of said property to any existing or future transmission facility;
- (e) the type of property interest to be acquired in said property;
- (f) the manner in which the advance acquisition of said property satisfies the requirements of said Section 16-50z(a) of the Connecticut General Statutes; and
- (g) The following maps:
  - (1) a U.S.G.S topographic quadrangle map (scale 1 inch = 2000 feet) marked to show the approximate location of such property; and
  - (2) a map (scale 1 inch = 200 feet or less) of the property itself indicating the acreage and dimensions of such property and the names and mail addresses of the abutting owners.

(Effective May 28, 1985; amended September 7, 2012)

### Sec. 16-50z-2. Notice of review

The acquisition shall be deemed approved or may proceed unless the Council gives notice not later than 30 days after such filing that a hearing shall be held to review the conformity of such acquisition with the purposes and intent of Section 16-50z(a) of the Connecticut General Statutes or unless the Council receives a written request from the owner of the real property sought to be acquired to initiate a proceeding under Section 16-50z(c) of the Connecticut General Statutes. Notice of a hearing shall be given in accordance with Section 16-50j-21 of the Regulations of Connecticut State Agencies and Section 16-50l of the Connecticut General Statutes. Additional notice shall be:

- (a) Mailed, certified mail, to the parties of the proposed acquisition, to the chief executive officer and the planning commission of the town in which the property is located; and
- (b) Published as specified in Section 16-50m (c) of the Connecticut General Statutes and no less than 10 days prior to the date of the hearing in a newspaper having general circulation in the town in which the property is located.

(Effective March 7, 1989; amended September 7, 2012)

### Sec. 16-50z-3. Hearing

The hearing shall be conducted in accordance with Section 16-50m of the Connecticut General Statutes and the Uniform Administrative Procedures Act, chapter 54 of the Connecticut General Statutes.

(Effective March 7, 1989; amended September 7, 2012)

**Sec. 16-50z-4. Decision**

(a) The Council shall render a decision upon the record either granting or denying the acquisition, giving consideration to:

- (1) The hardship for existing owners of the property and owners of adjacent properties;
- (2) The public need or public benefit for the acquisition;
- (3) The environmental impacts of electric or fuel transmission line development on the property and adjacent properties; and;
- (4) The location of the property proposed to be acquired.

(b) Approval of such acquisition requires the affirmative vote of the Council. The Council's decision shall be rendered not later than 6 months after the filing with the Council of a statement of intent to acquire property, or not later than 90 days following the Council's receipt of a written request to initiate a proceeding pursuant to Section 16-50z(c) of the Connecticut General Statutes, provided such time period may be extended by the Council by not more than 6 months with the consent of the person intending to acquire the property, or the parties may agree to a longer period.

(c) Notice of the decision of the Council shall be published in a newspaper having general circulation in the town in which the property is located not less than 10 days after the date of said decision. The general notice shall be published in accordance with Subsection (c) of Section 16-50m of the Connecticut General Statutes.

(Effective March 7, 1989; amended September 7, 2012)