



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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www.ct.gov/csc

CERTIFIED MAIL RETURN RECEIPT REQUESTED

August 5, 2016

Daniel M. Laub, Esq.
Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor
White Plains, NY 10601

RE: **PETITION NO. 455A** - New Cingular Wireless PCS, LLC (AT&T) request to amend its declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required to relocate an existing AT&T facility attached to an Eversource electric transmission line structure (#2998) onto an approved replacement electric transmission line structure (#2998) within the existing Eversource right-of-way located at 287 Danbury Road in Wilton, Connecticut.

Dear Attorney Laub:

At a public meeting held on August 4, 2016, the Connecticut Siting Council (Council) considered and ruled that the above-referenced proposal to amend its declaratory ruling would not have a substantial adverse environmental effect, and pursuant to Connecticut General Statutes § 16-50k, would not require a Certificate of Environmental Compatibility and Public Need with the following conditions:

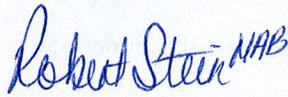
1. Use of off-road construction equipment that meets the latest EPA or California Air Resources Board standards, or in the alternative, equipment with the best available controls on diesel emissions, including, but not limited to, retrofitting with diesel oxidation catalysts, particulate filters and use of ultra-low sulfur fuel;
2. Compliance with the provisions of Section 22a-174-18(b)(3)(C) of the Regulations of Connecticut State Agencies that limit the idling of mobile sources to 3 minutes;
3. Approval of any minor project changes be delegated to Council staff;
4. Deployment and operation of the temporary facility subject to the submission of final design details to the Executive Director for review and final authorization;
5. Unless otherwise approved by the Council, if the facility authorized herein is not fully constructed within three years from the date of the mailing of the Council's decision, this decision shall be void, and the facility owner/operator shall dismantle the facility and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made. The time between the filing and resolution of any appeals of the Council's decision shall not be counted in calculating this deadline. Authority to monitor and modify this schedule, as necessary, is delegated to the Executive Director. The facility owner/operator shall provide written notice to the Executive Director of any schedule changes as soon as is practicable;
6. Any request for extension of the time period to fully construct the facility shall be filed with the Council not later than 60 days prior to the expiration date of this decision and shall be served on all parties and intervenors, if applicable, and the Town of Wilton;

7. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;
8. Any nonfunctioning antenna and associated antenna mounting equipment on this facility owned and operated by the Petitioner shall be removed within 60 days of the date the antenna ceased to function;
9. The facility owner/operator shall remit timely payments associated with annual assessments and invoices submitted by the Council for expenses attributable to the facility under Conn. Gen. Stat. §16-50v;
10. This Declaratory Ruling may be transferred, provided the facility owner/operator/transferor is current with payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v and the transferee provides written confirmation that the transferee agrees to comply with the terms, limitations and conditions contained in the Declaratory Ruling, including timely payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v; and
11. If the facility owner/operator is a wholly owned subsidiary of a corporation or other entity and is sold/transferred to another corporation or other entity, the Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the facility within 30 days of the sale and/or transfer.

This decision is under the exclusive jurisdiction of the Council and is not applicable to any other modification or construction. All work is to be implemented as specified in the petition dated June 24, 2016, and additional information dated August 3, 2016.

Enclosed for your information is a copy of the staff report on this project.

Very truly yours,

Handwritten signature of Robert Stein in blue ink, with the initials "NAB" written to the right of the signature.

Robert Stein
Chairman

RS/RDM/lm

Enclosure: Staff Report dated August 4, 2016

- c: The Honorable Lynne Vanderslice, First Selectman, Town of Wilton
Robert Nerney, Director of Planning and Land Use Management, Town of Wilton



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Petition No. 455A

New Cingular Wireless PCS LLC

Wilton, Connecticut

Staff Report

August 4, 2016

On June 27, 2016, the Connecticut Siting Council (Council) received a petition from New Cingular Wireless PCS, LLC (AT&T) to amend its declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed relocation of an existing telecommunications facility attached to an existing Eversource electric transmission structure. On or about June 20, 2016, AT&T notified the Town, the property owner of record, abutting property owners, federal and state agencies, and public officials of the proposed project. To date, the Council has not received any comments regarding the petition filing.

On May 10, 2000, AT&T received approval from the Council in Petition No. 455 to install a telecommunications facility on an existing 96-foot tall electric transmission line structure (#2998) located at 289 Danbury Road in Wilton. AT&T's existing facility consists of six panel antennas installed on a pipe mast extending five feet above the existing lattice structure and associated ground equipment installed within a fenced compound at the base of the lattice structure.

On May 26, 2016, the Council approved Petition No. 1225, filed by Eversource, to modify a 1.85 mile section of an existing 115-kilovolt transmission line extending through the south-central section of Wilton. The petition included the replacement of existing transmission structure #2998. As part of Petition No. 1225, Eversource initially designed replacement transmission structure #2998 as a 119-foot monopole. Subsequent to the Council's approval and upon consultation with AT&T, Eversource redesigned the replacement transmission structure as a 131-foot monopole to accommodate both AT&T and Eversource's necessary transmission line clearance requirements. The new replacement structure would be installed adjacent to Eversource's existing lattice transmission structure that would be removed as part of Petition No. 1225. AT&T's existing compound would remain in the same location.

AT&T's proposed replacement facility would consist of new radio equipment within the existing compound, and six new panel antennas and associated tower mounted amplifiers installed on t-arms at a centerline height of 128 feet above ground level (agl) on the new transmission structure. The top of AT&T's antennas would extend to 131 feet agl. Exterior coax would be installed along one side of the monopole, connecting the new antennas to the radio equipment within the compound. The existing compound fence would be extended 10 feet to the north to enclose the base of the new transmission structure. Access to AT&T's facility would utilize existing access easements from Danbury Road.

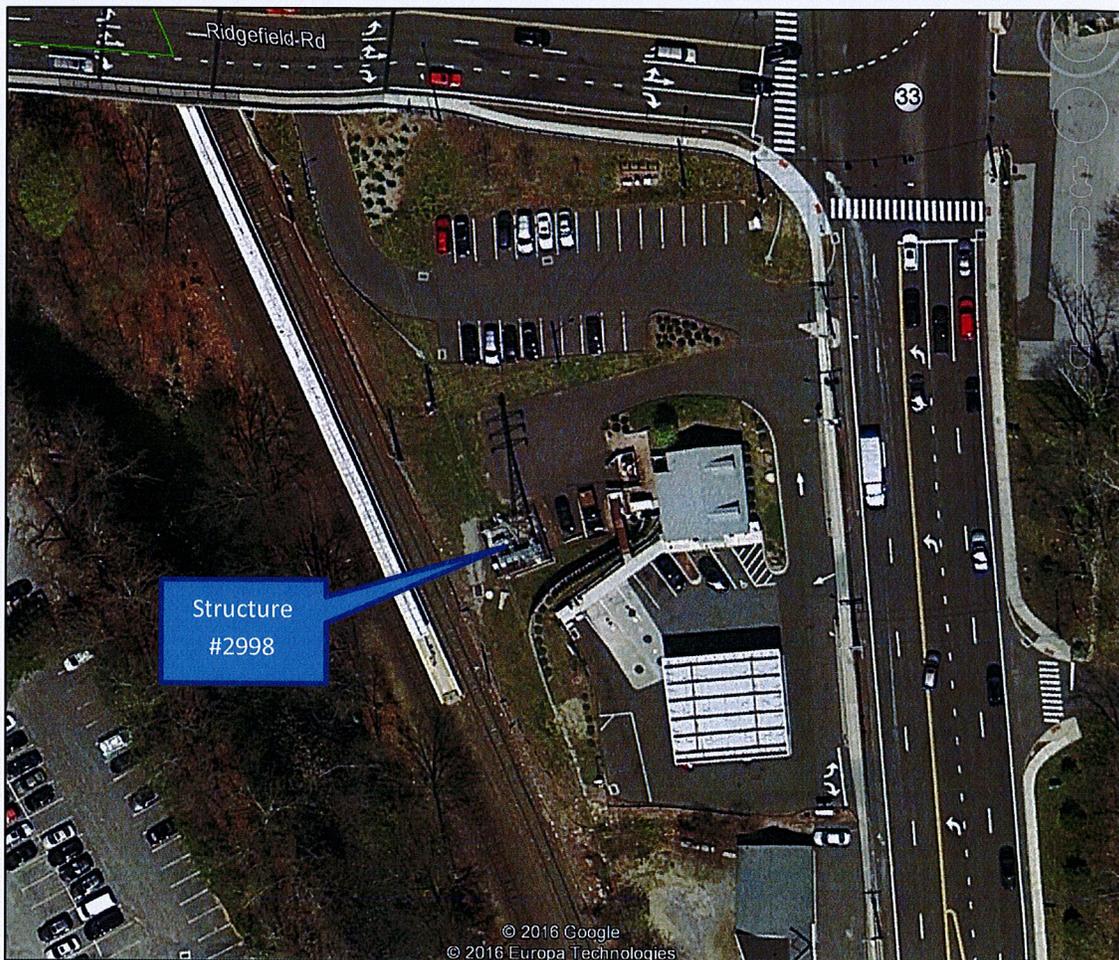
All work would be within Eversource's existing right-of-way and would occur in already developed areas of the property, which is used as a gas station. AT&T's proposed project would not require site clearing, would not impact wetlands, or affect any species listed on the Natural Diversity Database. The maximum worst-case power density of AT&T's proposed LTE, GSM and UMTS equipment would be 0.9 percent of the applicable Federal Communications Commission limit for radio frequency power density.

The area surrounding the transmission structure includes commercial and residential development as well as a major road corridor (Route 7) and a Metro-North train station and rail line. AT&T would paint its antennas and coax to match the color of the new transmission structure to mitigate visibility of the tower-mounted equipment.

Due to complications associated with reconstruction of Eversource's 115-kV transmission line, AT&T may need to deploy a temporary telecommunications facility in order to maintain wireless service to the surrounding area. The potential temporary facility would consist of either a "cell-on-wheels" or a ballast-weighted tower no taller than 100 feet. The temporary facility would most likely be deployed on an Eversource work pad near structure #2998. AT&T respectfully requests that the Council approve deployment and operation of the temporary facility subject to the submission of final design details to the Executive Director for review and final authorization.

If the Petition is approved, staff suggests including the following conditions:

1. Use of off-road construction equipment that meets the latest EPA or California Air Resources Board standards, or in the alternative, equipment with the best available controls on diesel emissions, including, but not limited to, retrofitting with diesel oxidation catalysts, particulate filters and use of ultra-low sulfur fuel;
2. Compliance with the provisions of Section 22a-174-18(b)(3)(C) of the Regulations of Connecticut State Agencies that limit the idling of mobile sources to 3 minutes;
3. Approval of any minor project changes be delegated to Council staff;
4. Deployment and operation of the temporary facility subject to the submission of final design details to the Executive Director for review and final authorization; and
5. Submission of a revised structural analysis to account for AT&T's proposed installation on the 131-foot transmission structure. (provided 8/4/2016)



Site location at 289 Danbury Road, Wilton.