

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Internet: ct.gov/csc

Daniel F. Caruso
Chairman

October 27, 2006

Ruth Girolomo
Post Reporting Service, Inc.
2015 Dixwell Avenue
Hamden, CT 06514

RE: **DOCKET NO. 321** – Optasite, Inc. and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 940 Meriden Road in Waterbury, Connecticut.

Dear Ms. Girolomo:

In reference to our telephone conversation, your attendance will be required at a hearing of the Connecticut Siting Council (Council) regarding the subject docket on:

Tuesday, November 21, 2006
3:00 p.m. – 5:00 p.m. and 7:00 p.m. – 10:00 p.m.
City Hall - Veterans Memorial Hall
235 Grand Street
Waterbury, CT 06702

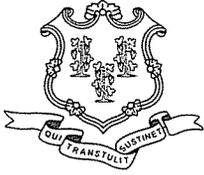
The Council will require delivery of the complete transcript, an original and one copy, within one week of the hearing. I am enclosing a copy of the application filing and our hearing notice for your convenience. If you have any questions concerning this matter, please call me.

Very truly yours,

Adriana C. Popa
Administrative Clerk

ap

Enclosure (2)



Daniel F. Caruso
Chairman

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October 27, 2006

Joseph Reese
Tech Theatrical Services, LLC
98 Knight Street
Watertown, CT 06795

RE: **DOCKET NO. 321** – Optasite, Inc. and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 940 Meriden Road in Waterbury, Connecticut.

Dear Mr. Reese:

Your attendance will be required at a hearing of the Connecticut Siting Council (Council) regarding the subject docket on:

Tuesday, November 21, 2006
3:00 p.m. – 5:00 p.m. and 7:00 p.m. – 10:00 p.m.
City Hall - Veterans Memorial Hall
235 Grand Street
Waterbury, CT 06702

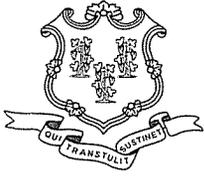
I am enclosing a copy of our hearing notice for your convenience. If you have any questions concerning this matter, please call me.

Very truly yours,

Adriana C. Popa
Administrative Clerk

ap

Enclosure



STATE OF CONNECTICUT
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Daniel F. Caruso
Chairman

October 27, 2006

TO: Council Members

FROM: S. Derek Phelps, Executive Director 

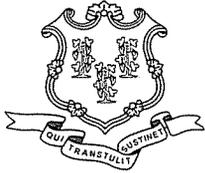
RE: **DOCKET NO. 321** – Optasite, Inc. and Omnipoint Communications, Inc.
application for a Certificate of Environmental Compatibility and Public Need for
the construction, maintenance and operation of a telecommunications facility at
940 Meriden Road in Waterbury, Connecticut.

Enclosed please find a copy of the Council's notice of public hearing.

SDP/ap

Enclosure (1)

c: Secretary of the State
Robert L. Marconi, Assistant Attorney General
Parties and Intervenors
Application Service Recipients
Ginger Teubner, DPUC



Daniel F. Caruso
Chairman

October 27, 2006

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TO: Christopher B. Fisher, Esq.
Cuddy & Feder LP

Michele G. Briggs
New Cingular Wireless PCS, LLC

Kenneth C. Baldwin, Esq.
Robinson & Cole LLP

Thomas F. Flynn III
Nextel Communications

Sandy M. Carter
Verizon Wireless

Stephen Marcus
Marcus Communications

Thomas J. Regan, Esq.
Brown Rudnick Berlack Israels LP

FROM: S. Derek Phelps, Executive Director 

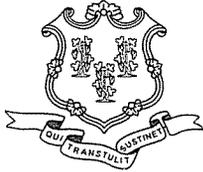
RE: **DOCKET NO. 321** – Optasite, Inc. and Omnipoint Communications, Inc.
application for a Certificate of Environmental Compatibility and Public Need for
the construction, maintenance and operation of a telecommunications facility at
940 Meriden Road in Waterbury, Connecticut.

The Connecticut Siting Council (Council) has received an application for a proposed telecommunications facility in Waterbury. If you would like to participate in this proceeding, your response by or before November 16, 2006, will be appreciated.

SDP/ap

Enclosure: Hearing Notice

c: Parties & Intervenors
Council Members



Daniel F. Caruso
Chairman

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Internet: ct.gov/esc

October 27, 2006

TO: Classified/Legal Supervisor
321060914
Waterbury Republican-American
389 Meadow Street
P.O. Box 2090
Waterbury, CT 06722

FROM: Adriana C. Popa, Administrative Clerk

RE: **DOCKET NO. 321** – Optasite, Inc. and Omnipoint Communications, Inc.
application for a Certificate of Environmental Compatibility and Public Need for
the construction, maintenance and operation of a telecommunications facility at
940 Meriden Road in Waterbury, Connecticut.

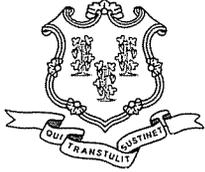
Please publish the attached legal notice for one day on the first day possible from receipt of this notice, except on Saturday, Sunday, or holiday.

Pursuant to General Statutes § 16-50m(c), the general notice to be public shall be published in its entirety in not less than **TEN POINT BOLDFACE TYPE**. If you have any questions concerning the ten point type, please contact me. If your newspaper does not have ten point type, please so state and also state the size type actually used in the legal notice in your affidavit.

Please send affidavit of publication and invoice to: Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

ap

Enclosure (1)



STATE OF CONNECTICUT
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Daniel F. Caruso
Chairman

October 27, 2006

TO: Commissioner Gina McCarthy
Department of Environmental Protection

Commissioner J. Robert Galvin
Department of Public Health

Karl Wagener, Executive Director
Council on Environmental Quality

Commissioner Donald W. Downes, Chairman
Department of Public Utility Control

Robert Genuario, Secretary
Office of Policy and Management

Commissioner James F. Abromaitis
Department of Economic and Community Development

Arthur W. Gruhn, P.E.
Chief Engineer, Bureau of Engineering and Highway Operations
Department of Transportation

FROM: S. Derek Phelps, Executive Director

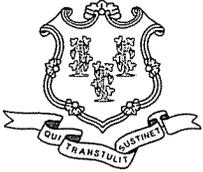
RE: **DOCKET NO. 321** – Optasite, Inc. and Omnipoint Communications, Inc.
application for a Certificate of Environmental Compatibility and Public Need for
the construction, maintenance and operation of a telecommunications facility at
940 Meriden Road in Waterbury, Connecticut.

Pursuant to General Statutes § 16-50j(h), the Connecticut Siting Council hereby solicits your written comments and consultation. Your response by or before November 14, 2006 will be appreciated.

A copy of the application with location maps has previously been provided to you, pursuant to General Statutes § 16-50l.

SDP/ap

c: Parties & Intervenors
Council Members



Daniel F. Caruso
Chairman

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Screening Checklist

Connecticut Department of Transportation

Potential Transportation Infrastructure Impacts

Connecticut Siting Council Docket# 321

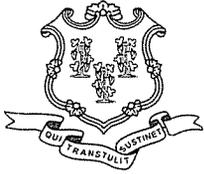
Location: 940 Meriden Road, Waterbury

1. Is the proposed facility abutting the right-of-way of a State maintained highway?
 No
 Yes – Specify the location and show location on a detail site plan.

2. Is access for construction or maintenance of the proposed facility needed directly from a State maintained highway
 No
 Yes – Identify specific needs and access location.

3. Does the proposed construction or maintenance of the proposed facility impact any licensed aviation facility (L.A.F.)? Definition: L.A.F. is a facility licensed to operate by DOT, airport, heliport or parachute coop area.
 No
 Yes – Please provide an area and site plan.

4. Is the proposed facility within or abutting a State owned Railroad Right-of-Way?
 No
 Yes – Please provide an area and site plan.



Daniel F. Caruso
Chairman

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October 27, 2006

Victor Diaz
City Clerk's Office
236 Grand Street
Waterbury, CT 06702

RE: **DOCKET NO. 321** – Optasite, Inc. and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 940 Meriden Road in Waterbury, Connecticut.

Dear Mr. Diaz:

Confirming our telephone conversation of October 4, 2006, I appreciate the reservation of the Veterans Memorial Hall at the Waterbury City Hall for a public hearing on Tuesday, November 21, 2006 from 2:30 p.m. to 10:00 p.m.

For your information, I have attached a general plan for seating arrangements.

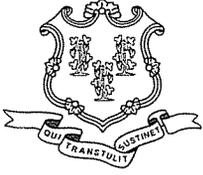
If any other information is needed, please contact me at my office. Thank you for your assistance.

Very truly yours,

Adriana C. Popa
Administrative Clerk

ap

Enclosure (1)



Daniel F. Caruso
Chairman

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October 27, 2006

The Honorable Michael J. Jarjura
Mayor
City of Waterbury
City Hall
235 Grand Street
Waterbury, CT 06702

RE: **DOCKET NO. 321** – Optasite, Inc. and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 940 Meriden Road in Waterbury, Connecticut.

Dear Honorable Jarjura:

The Connecticut Siting Council (Council) has scheduled a public hearing in your town in connection with the above-referenced proceeding. I am writing to invite you to participate in this hearing.

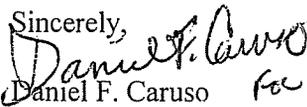
The Council fully understands that municipal input and guidance is absolutely necessary to achieve a thoughtful and balanced decision in matters such as this. Accordingly, I am extending to you my personal invitation to participate in the hearing that is scheduled on November 21, 2006.

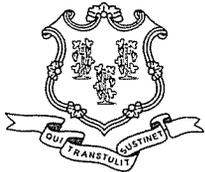
Please be advised that the Council's processes enable the affected municipal governments to engage in meaningful discourse and, if they choose, to even assert a legal role in the proceedings of applications that come before the Council. Municipalities are afforded a right of pre-filed technical information and consultation with applicants 60 days before an application is filed with the Council. During this period the municipality may conduct public hearings and meetings, as it deems necessary. Both the municipal and applicant filings become part of the Council's record.

Once an application is filed with the Council at least one public hearing is held in the affected community as well as a public inspection of the proposed site. Your participation at such hearing may take many forms; municipal officials may make opening statements to the Council, present written documents, or may seek Party or Intervenor Status and put on a case with witnesses.

Our staff is available to assist you in understanding our process and your options. If you have questions, please contact Executive Director S. Derek Phelps (860 827-2935). In the event you have legal questions, please contact our Assistant Attorney General Robert Marconi (860 827-2682).

The Council weighs many issues before rendering its decisions. It is important that we know the Town's views as part of that decision making process. We hope you will take part in our hearing process.

Sincerely,

Daniel F. Caruso *for*
Chairman
DFC/SDP/ap



Daniel F. Caruso
Chairman

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Seating Arrangements:

X X X X X X X X X X X X

Council Table
(seating for twelve)
(x = chairs)

X
X
Table for
Court Reporter
(x = chairs)

Applicant Table
(x = chairs)

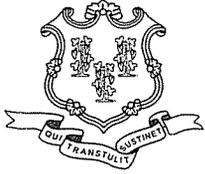
X X X X

Party Table
(seating for three)
(x = chairs)

X X X

Podium for public

SEATING FOR PUBLIC
(chairs facing Council table)



Daniel F. Caruso
Chairman

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HEARING NOTICE

Pursuant to provisions of General Statutes § 16-50m and Section 16-50j-21 of the Regulations of Connecticut State Agencies, notice is hereby given that the Connecticut Siting Council (Council) will conduct a public hearing on Tuesday, November 21, 2006, beginning at 3:00 p.m., and continuing at 7:00 p.m., at the Waterbury City Hall, Veterans Memorial Hall, 235 Grand Street, Waterbury, Connecticut and thereafter as necessary. The hearing will be on an Optasite, Inc. and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 940 Meriden Road in Waterbury, Connecticut.

The purpose of the hearing is to hear evidence on the applicant's contention that the public need for the facility outweighs any adverse environmental effects that would result from the construction, operation, or maintenance of a tower, ground equipment, and access road. The 3:00 p.m. hearing session will provide the applicant, parties, and intervenors an opportunity to cross-examine positions. The applicant will be allowed a final rebuttal. Briefs will be entertained after the close of the last hearing session. The 7:00 p.m. hearing session will be reserved for the public to make brief statements into the record. Cross-examination of parties and intervenors will resume, if necessary, after all statements have been heard.

The Council will conduct a public field review of the proposed site on Tuesday, November 21, 2006, beginning at 2:00 p.m. The applicant will fly a balloon during the field review to simulate the height of the proposed facility.

Applicable law for this proceeding includes the Public Utility Environmental Standards Act, General Statutes § 16-50g, et seq., and Sections 16-50j-1 through 16-50v-1a of the Regulations of Connecticut State Agencies.

The Council directs that all testimony and exhibits be pre-filed with the Council and all parties and intervenors by November 14, 2006. In accordance with the State Solid Waste Management Plan, the Council requests that all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators.

Individuals are encouraged to participate through their elected officials, and other party/intervenor groupings.

Any person seeking to be named or admitted as a party or intervenor to the proceeding may file a written request to be so designated at the office of the Connecticut Siting Council, 10 Franklin Square, New Britain, Connecticut 06051, on or before November 16, 2006.

Parties and intervenors will be allowed to submit briefs and proposed findings of fact within 30 days after the close of the hearing.

Any person who is not a party or intervenor to this proceeding may file a written statement with the Council at the hearing or any time up to 30 days thereafter. Such statements will become part of the record. No written statement or any other material, evidence, or other information will be accepted from any person not a party or intervenor to the proceeding after 30 days following the close of the hearing, except as otherwise prescribed by law or the Council.

A verbatim transcript of the hearing session will be made and deposited with the City Clerk's Office of the Waterbury City Hall for the convenience of the public.

Requests for information in alternative formats or for sign-language interpreter services must be submitted in writing by November 9, 2006.

The applicant of this facility is represented by the following:

Applicants

Optasite, Inc.
Omnipoint Communications, Inc.

Their Representatives

Julie Kohler, Esq.
Carrie L. Larson, Esq.
Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604

A copy of the application is available for review at the Council's office during office hours at 10 Franklin Square, New Britain, Connecticut, (860) 827-2935. The Council has assigned this application docket no. 321.

October 26, 2006

Connecticut Siting Council

**LIST OF PARTIES AND INTERVENORS
SERVICE LIST**

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	Optasite, Inc. One Research Drive, Suite 200C Westborough, MA 01581 Omnipoint Communications, Inc. 100 Filley Street Bloomfield, CT 06002	Julie Kohler, Esq. Carrie L. Larson, Esq. Cohen and Wolf, P.C. 1115 Broad Street Bridgeport, CT 06604 (203) 368-0211 (203) 394-9901 fax jkoher@cohenandwolf.com clarson@cohenandwolf.com