

THOMAS J. REGAN
direct dial: (860) 509-6522
tregan@brownrudnick.com

CityPlace I
185 Asylum
Street
Hartford
Connecticut
06103
tel 860.509.6500
fax 860.509.6501

VIA HAND DELIVERY

April 13, 2007

S. Derek Phelps
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

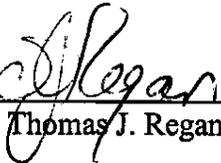
RE: Docket No. 323 Omnipoint/Bolton – Sprint’s Post Hearing Brief

Dear Mr. Phelps:

Enclosed for filing in this matter are an original and 15 copies of Sprint Nextel Corporation’s Post Hearing Brief. An electronic copy has been e-mailed to Ms. Fontaine, Ms. Mulcahy and Ms. Lepage. Please do not hesitate to contact me with any questions.

Very truly yours,

BROWN RUDNICK BERLACK ISRAELS LLP

By: 
Thomas J. Regan

Enclosures

cc: Service List

40240481 v1 - MERCIECM - 026122/0006

CONNECTICUT SITING COUNCIL

In re:

MCF Communications bg, Inc. and Omnipoint : **Docket No. 323**
Communications, Inc. application for a Certificate :
of Environmental Compatibility and Public Need :
for the construction, maintenance and operation of :
a telecommunications facility located at 12 :
Carpenter Road, Bolton, Connecticut. : **April 13, 2007**

SPRINT NEXTEL'S POST HEARING BRIEF IN SUPPORT OF **MCF & T-MOBILE'S APPLICATION**

INTRODUCTION

Sprint Nextel Corporation ("Sprint") submits this brief in support of the application of MCF Communications bg, Inc. ("MCF") and Omnipoint Communications, Inc., a subsidiary of T-Mobile USA, Inc. ("T-Mobile") (collectively, the "Applicant") to the Connecticut Siting Council ("Council") for a certificate of environmental compatibility and public need for the construction, maintenance and operation of a telecommunications facility at 12 Carpenter Road in Bolton, Connecticut (the "Application"). The record in this matter unequivocally demonstrates that the Applicant's proposal is necessary and will have minimal environmental impact.

BACKGROUND

On October 5, 2006 the Applicant filed its Application with the Council.¹ In its Application, the Applicant proposed construction of a 130-foot self supporting monopole with

¹ Applicant's Exhibit ("APP")-1.

associated equipment at its base (the "Facility").² The Facility will be located on a 43-acre parcel of land in a residential zone of Bolton, abutting the Interstate 384 Exit 5 ramp.³ The Facility is designed to provide coverage for multiple carriers along Interstate 384. T-Mobile plans to locate their antennas with a centerline at 127 feet.⁴ On December 13, 2006, Sprint Nextel Corporation ("Sprint") intervened in this matter with the intention of locating its antennas with a centerline at 117 feet.

On December 14, 2006, Cellco Partnership d/b/a Verizon Wireless ("Verizon") petitioned to intervene in this docket and requested that the height of the monopole be increased from 130 feet to 140 feet in order to meet Verizon's coverage objectives.⁵ Verizon then informed the abutting landowners, the Towns of Bolton and Manchester and published notice in the *Hartford Courant* of their intent to increase the height of the tower by 10 feet.⁶ Verizon plans to locate their centerline at 138 feet.

On January 24, 2007 the Council held a public hearing on this Docket at the Bolton Town Hall in Bolton, Connecticut (the "Public Hearing"). The Public Hearing began at 3:00 p.m. and reconvened at 7:00 p.m. Prior to the Public Hearing, the Council, the Council's staff, the Applicant, the Intervenors and some members of the public completed a field inspection of the site beginning at 2:00 p.m. The Public Hearing was then continued until March 14, 2007 at 10:00 a.m. at the Council's offices in New Britain.⁷

² Id. at 2.

³ Id.

⁴ APP-1 at Exhibit A.

⁵ Record.

⁶ Verizon's Exhibit ("Verizon")-1.

⁷ Record.

SPRINT'S NEED

T-Mobile, Verizon and Sprint have all unquestionably demonstrated, through undisputed testimony and exhibits, their need for a 140-foot telecommunications facility in this area of Bolton to provide service along Interstate 384. In addition, the Bolton Fire Department Chief said the Fire Department would benefit from locating their antennas on the monopole.⁸

For Sprint's iDEN network, this will be a dual purpose site in that it will provide coverage to Interstate 384, Route 6 and Route 44 and it will provide capacity relief to adjacent iDEN network sites. Currently, Sprint's iDEN network customers are experiencing poor service along sections of Interstate 384, Route 6 and Route 44 as well as in the surrounding areas of Bolton. Specifically, Sprint's iDEN network customers are experiencing over 100 dropped calls per day in this area. This poor level of service is due to a combination of weak signal strength and interference from nearby site CT0717 (130 Vernon Road, Bolton) which is located to the northeast of the Carpenter Road site.⁹

For Sprint, this Facility will offload traffic from Sprint's Vernon Road iDEN site. Because the Vernon Road site is currently so overloaded, it creates a great deal of interference for a number of iDEN sites around the greater northeast Hartford area. Therefore, with the addition of this site to Sprint's iDEN network, Sprint will not only be providing better coverage in the Bolton area to its iDEN customers, Sprint will also reduce the amount of interference to all its iDEN sites in the greater northeastern Hartford area. In order to provide the coverage needed as well as sufficiently off-load capacity from the Vernon Road site, Sprint must have a centerline

⁸ Public Hearing Transcript ("Tr.") 3/14/07 at 43.

⁹ Sprint's Exhibit-1 at 1-2; Tr. 3/14/07 at 77.

of 117 feet. Any lower than 117 feet and both the coverage and capacity objectives become compromised.¹⁰

ALTERNATIVES

The hilly terrain near Interstate 384 combined with the rural character of the area made siting a tower in this area of Interstate 384 very difficult. As T-Mobile stated in its Application, T-Mobile began their site search by investigating existing structures. However, there are no existing structures with sufficient height in the area. T-Mobile's search then investigated numerous raw land parcels in Bolton and Manchester before proposing the 12 Carpenter Road site.¹¹

At the Public Hearing, members of the public as well as State Representative Pam Sawyer suggested eight additional alternate locations. Sprint investigated and prepared plots for each alternate location and found that only the Liberty Candle site at 175 feet would work as a single site solution. At 35 feet higher than the Carpenter Road site, Sprint expects that the Liberty Candle site would have significantly greater visibility than the Carpenter Road site. In addition, a height of 175 feet only takes into account Sprint's coverage needs, other carriers could very well need a greater height.¹²

The one multiple site solution that works for Sprint combines the DOT garage at 190 feet in with either the Birch Mountain Water Tank at 120 feet or the Green Hill Water Tank at 120 feet. Again, the DOT garage would be at a height 50 feet higher than that of the proposed Carpenter Road monopole and would therefore have a profound impact on the visibility to the

¹⁰ Sprint's Exhibit-1 at 1-2; Tr. 3/14/07 at 79.

¹¹ APP-1 at Exhibit H.

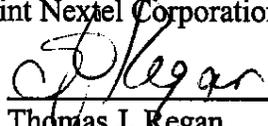
¹² Sprint's Exhibit-3 at 1; Tr. 3/14/07 at 81.

surrounding community. Moreover, siting two facilities would double the impact on this already heavily burdened area.¹³

CONCLUSION

Sprint requests that the Council grant MCF and T-Mobile's Application to construct, maintain and operate a 130-foot monopole as well as Verizon's request for a 10-foot extension at 12 Carpenter Road in Bolton, Connecticut.

Respectfully submitted,
Sprint Nextel Corporation

By: 

Thomas J. Regan
Brown Rudnick Berlack Israels LLP
185 Asylum Street, CityPlace I
Hartford, CT 06103-3402
Phone - (860) 509-6522
Fax - (860) 509-6501

¹³ Id.

Certificate of Service

On April 13, 2007, a copy of Sprint Nextel Corporation's Brief was sent via first class

mail to:

MCF Communications bg, Inc.
Omnipoint Communications, Inc.

c/o

Julie Kohler, Esq.

Carrie Larson, Esq.

Cohen & Wolf, P.C.

1115 Broad Street

Bridgeport, CT 06604

jkohler@cohenandwolf.com

clarson@cohenandwolf.com

Cellco Partnership d/b/a Verizon Wireless
c/o

Kenneth C. Baldwin, Esq.

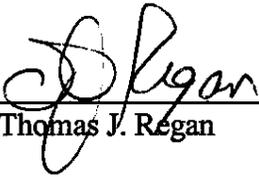
Robinson & Cole LLP

280 Trumbull Street

Hartford, CT 06103-3597

kbaldwin@rc.com

By: _____


Thomas J. Regan

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