

**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

SPRINT NEXTEL CORPORATION  
FOR A CERTIFICATE  
OF ENVIRONMENTAL COMPATIBILITY  
AND PUBLIC NEED FOR THE  
CONSTRUCTION, MAINTENANCE AND  
OPERATION OF A TELECOMMUNICATIONS  
FACILITY LOCATED AT 836 FOXON ROAD,  
EAST HAVEN, CONNECTICUT.

DOCKET 331 APPLICATION

SEPTEMBER 13, 2007

**POST-HEARING BRIEF OF T-MOBILE**

Pursuant to § 16-50j-31 of the Regulations of Connecticut State Agencies (“R.C.S.A.”), Intervenor Omnipoint Communications, Inc., a subsidiary of T-Mobile USA, Inc., d/b/a T-Mobile (hereinafter “T-Mobile”) submits this post-hearing brief in support of the above-captioned application. This brief is limited to (1) the public need for this telecommunications facility. Intervenor T-Mobile also submits its Proposed Findings of Fact in conjunction with this Post-Hearing Brief.

**I. BACKGROUND**

The applicant, Sprint Nextel Corporation (the “Applicant”) in accordance with provisions of Connecticut General Statutes (“C.G.S.”) §§ 16-50g through 16-50aa and §§ 16-50j-1 through 16-50j-34 of the Regulations of Connecticut State Agencies (“R.C.S.A.”), applied to the Connecticut Siting Council (“Council”) on March 27, 2007 for a Certificate of Environmental Compatibility and Public Need (“Certificate”).

The Applicant proposes to construct a 100-foot steel monopole telecommunications facility on a 3.01 acre parcel located at 836 Foxon Road, East Haven, Connecticut (the “Site”). The Applicant proposes to construct a 100-foot

monopole ("Facility"). This Facility will be designed to accommodate the antenna arrays and associated equipment of Sprint/Nextel and and the equipment of two (2) other telecommunications carriers. T-Mobile intervened, expressing its need to co-locate on the proposed Facility as did Verizon Wireless.

The purpose of this Facility is to provide wireless telecommunications services to East Haven along Route 80 and surrounding areas. See application, see also Pre-filed Testimony of Alex Murillo. T-Mobile currently experiences significant gaps in coverage and inadequate coverage in the area. In particular, T-Mobile experiences a coverage gap of 1.39 miles along Route 80. See T-Mobile Interrogatory Responses dated July 6, 2007. A Facility at the Site will provide wireless coverage service to this area which is currently experiencing inadequate coverage. Id.

## **II. A SIGNIFICANT PUBLIC NEED EXISTS FOR A TELECOMMUNICATIONS FACILITY IN THIS AREA**

### **A. T-Mobile's Need**

Connecticut General Statute ("C.G.S.") §16-50p(a) mandates that the Council "shall not grant a certificate, either as proposed or as modified by the council, unless it shall find and determine: (1) A public need for the facility and the basis of the need..." C.G.S. §16-50p(a). There can be no dispute that there is a significant public need for this Facility.

There are no other telecommunications facilities in this area of East Haven and no utility structures or other suitably tall structures on which to locate a telecommunications facility. In addition, while AT&T is currently located on the roof of

the building located at the Site, T-Mobile testified that the minimum height it requires to fill its coverage gap is 87', far higher than the existing building.

T-Mobile has established that it is currently experiencing significant coverage gaps along Route 80, as well as the surrounding area which result in inadequate coverage in this area. These communications issues can be alleviated with the construction of this Facility, which will provide benefits for both the residents and businesses in East Haven. As demonstrated by T-Mobile's testimony and propagation maps, a Facility at the proposed Site will alleviate that inadequacy. See T-Mobile Exhibit 1.

**III. CONCLUSION**

It is clear from the evidence presented in the docket that approval of the Facility in this area of East Haven is necessary to provide adequate wireless coverage. T-Mobile has demonstrated that utilization of the Property provides the optimal solution for the lack of coverage in this area. In addition, approval of the proposed Facility will avoid the proliferation of towers, since three wireless carriers have also expressed their need for the proposed Facility. As such, T-Mobile respectfully urges the Council to issue a Certificate for the proposed Facility.

Respectfully submitted,

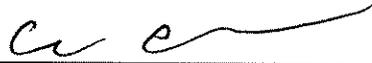
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**Certification**

This is to certify that a copy of the foregoing has been mailed, this date to all parties and intervenors of record.

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