

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE:

APPLICATION OF MCF
COMMUNICATIONS bg, INC. AND
OMNIPOINT COMMUNICATIONS, INC.
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR
THE CONSTRUCTION, MAINTENANCE AND
OPERATION OF A TELECOMMUNICATIONS
FACILITY AT RICH ROAD IN THE
TOWN OF THOMPSON, CONNECTICUT

DOCKET NO. _____

DATE: JULY 27, 2007

APPLICATION FOR CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED

FILED BY:

MCF COMMUNICATIONS bg, INC.
668 MAIN STREET, SUITE 114
WILMINGTON, MA 01887
978-658-7360

AND



OMNIPOINT COMMUNICATIONS, INC.
A SUBSIDIARY OF T-MOBILE USA, INC. D/B/A T-MOBILE
35 GRIFFIN ROAD SOUTH
BLOOMFIELD, CT 06002

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

IN RE:

APPLICATION OF MCF
COMMUNICATIONS bg, INC. AND
OMNIPOINT COMMUNICATIONS, INC.
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR
THE CONSTRUCTION, MAINTENANCE AND
OPERATION OF A TELECOMMUNICATIONS
FACILITY AT RICH ROAD IN THE
TOWN OF THOMPSON, CONNECTICUT

DOCKET NO. _____

DATE: July 27, 2007

**APPLICATION FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED**

I. Introduction

A. Purpose and Authority

Pursuant to Chapter 277a, Sections 16-50g *et seq.* of the Connecticut General Statutes ("CGS"), as amended, and Sections 16-50j-1 *et seq.* of the Regulations of Connecticut State Agencies ("RCSA"), as amended, MCF Communications bg, Inc. ("MCF") and Omnipoint Communications, Inc., a subsidiary of T-Mobile USA, Inc., d/b/a T-Mobile (hereinafter "T-Mobile") (collectively the "Applicants") hereby submit an application and supporting documentation (collectively, the "Application") for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a wireless communications facility (the "Facility") in the Town of Thompson. The proposed Facility is a necessary component in the network plan of T-Mobile to provide personal wireless communications services in the State of Connecticut and Windham County. The proposed Facility will provide service in the Town of Thompson, along Interstate I-395 as well as in adjacent areas.

B. Executive Summary

The proposed Facility will consist of a 150 foot, self-supporting monopole, antennas, associated equipment and other site improvements integral to a wireless communications facility. Originally, MCF had proposed to construct a facility at privately-owned property located on Wilsonville Road in Thompson. As part of its municipal consultation regarding that proposed location, the Town of Thompson (the "Town") identified the property owned by the Town located at Rich Road in Thompson (the "Property") for the construction and operation as a preferred location for the proposed Facility. The Property consists of 8 acres and is currently undeveloped and wooded. The Property is in the R-40, residential zoning district, and the Site is located east of the Interstate 395 exit 100 N on-ramp.

The site is located in the northeast portion of the Property (the "Site"). MCF proposes to install a monopole with appurtenances extending to approximately 150 feet in height and an equipment shelter at grade within a 50 foot by 90 foot fenced equipment compound ("Facility") within a 100 foot by 100 foot leased area. The monopole and compound area will be designed to accommodate use by all of the wireless carriers active in Connecticut and the Thompson public safety communications, if requested. The compound will be enclosed by an 8-foot high security fence.

Vehicular access to the Facility would extend from a proposed 132 foot gravel drive from Rich Road to the Site. Underground utility connections would extend from an existing utility pole on Rich Road to the Site.

T-Mobile has committed to locating on the Facility and will serve as the anchor tenant. T-Mobile's equipment also would be monitored 24 hours a day, 7 days a week from remote locations. Verizon has also committed to locating on the Facility. Its

equipment would also be monitored 24 hours a day, 7 days a week from remote locations.

Included in this Application in Exhibit A is a report with a survey-based plans and other information detailing the Facility proposed at the Site and potential environmental impacts associated therewith. MCF respectfully submits that the reports and other supporting documentation included in this Application contain relevant site specific information as required by statute and the regulations of the Connecticut Siting Council (the "Siting Council" or "Council"). A copy of the Council's Community Antenna Television and Telecommunication Facilities Application Guide with page references from this Application is also included in Exhibit B.

C. The Applicants

MCF Communications is a stock corporation organized and existing under the laws of the Commonwealth of Massachusetts with its principal office located at 668 Main Street, Suite 114, Wilmington, MA 01887. MCF Communications, and its subsidiary, MCF Communications bg (the "Applicant") develop, own, manage and market communication sites in the New England states for wireless communication companies, which is its sole business in the state of Connecticut. Based on experience in the radio broadcast industry since the mid 1980's, MCF was established in 1998 to focus on the growing wireless communication industry. It has developed over 30 sites throughout the New England region, and worked with most of the mobile communication service providers, including co-applicant T-Mobile.

The co-applicant T-Mobile is a Delaware corporation with a Connecticut office at 35 Griffin Road South, Bloomfield, Connecticut, 06002. Correspondence and/or

communications regarding this Application shall be addressed to the attorneys for the applicants:

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

D. Application Fee

Pursuant to RCSA Section 16-50v-1a(b), a check made payable to the Siting Council in the amount of \$1,000.00 accompanies this Application. The estimated total construction cost is approximately \$404,196. As such, the applicable application fee is \$1,000.00 in accordance with RCSA Section 16-50v-1a(b).

E. Compliance with CGS Section 16-50/(c)

Neither MCF nor T-Mobile is engaged in generating electric power in the State of Connecticut. As such, the proposed Facility is not subject to CGS Section 16-50r. The proposed Facility has not been identified in any annual forecast reports. As such, the proposed Facility is not subject to CGS Section 16-50/(c).

II. Service and Notice Required by CGS Section 16-50/(b)

Pursuant to CGS Section 16-50/(b), copies of this Application have been sent by certified mail, return receipt requested, to municipal, regional, State, and Federal officials. A certificate of service, along with a list of the parties served with a copy of the Application is included in Exhibit C. Pursuant to CGS 16-50/(b), notice of the Applicants' intent to submit this Application was published on two occasions in The Norwich Bulletin and on one occasion in the The Thompson Villager. Copies of the published legal notices are included in Exhibit D. The publishers' affidavits of service will be forwarded

upon receipt. Further, in compliance with CGS 16-50/(b), notices were sent to each person appearing of record as owner of a property which abuts the Site. Certification of such notice, a sample notice letter, and the list of property owners to whom the notice was mailed are included in Exhibit E.

III. Statements of Need and Benefits

A. Statement of Need

As the Council is aware, the United States Congress, through adoption of the Telecommunications Act of 1996, recognized the important public need for high quality telecommunication services throughout the United States. The purpose of the Telecommunication Act's overhaul of the Communications Act of 1934 was to "provide for a competitive, deregulatory national policy framework designed to accelerate rapidly private sector deployment of advanced telecommunications and information technologies to all Americans." H.R. Conf. Rep. No. 104-458, 206, 104th Cong., Sess. 1 (1996). With respect to wireless communications services, the Telecommunications Act of 1996 expressly preserved State and/or local land use authority over wireless facilities, placed several requirements and legal limitations on the exercise of such authority and preempted State or local regulatory oversight in the area of emissions as more fully set forth in 47 U.S.C. § 332(c)(7). In essence, Congress struck a balance between legitimate areas of State and/or local regulatory control over wireless infrastructure and the public's interest in its timely deployment to meet the public need for wireless services.

The Facility proposed in this Application is an integral component of T-Mobile's wireless network in this area of the State of Connecticut. Currently, a gap in coverage exists in T-Mobile's networks in the Thompson area, specifically along Interstate I-395 and the surrounding areas. The proposed Facility, in conjunction with other existing and

future facilities in Thompson and surrounding towns, is needed by T-Mobile to provide its wireless services to people living in and traveling through this area of the State.

T-Mobile's specific need for the proposed Facility is detailed the propagation plots, attached hereto as Exhibit F, which identify T-Mobile's specific need for this Facility in the Thompson area. Based on the location of the proposed Facility and the lack of coverage in this area, MCF cannot readily predict a point in time at which the Facility might reach maximum capacity.

B. Statement of Benefits

T-Mobile is a leading provider of advanced wireless voice and data services throughout the United States with over 20 million subscribers. T-Mobile and its corporate predecessors constructed one of the first wireless networks in Connecticut and is actively involved today in the deployment of next generation wireless services. Over the past two decades, T-Mobile has seen the public's demand for traditional cellular telephone services in a highly mobile environment migrate to a demand for anytime-anywhere wireless connectivity with the ability to send and receive voice, text, image and video. People today are using their wireless devices more and more as their primary form of communication for both personal and business needs. Modern devices allow for calls to be made, the internet to be reached and other services to be provided irrespective of whether a user is mobile or stationary and provided network service is available.

Wireless devices have become integral to the telecommunications needs of the public and their benefits can no longer be considered a luxury. Indeed, in an effort to ensure the benefits of wireless technologies to all Americans, Congress enacted the Wireless Communications and Public Safety Act of 1999 (the "911 Act"). The purpose of this legislation was to promote public safety through the deployment of a seamless,

nationwide emergency communications infrastructure that includes wireless communications services. In enacting the 911 Act, Congress found that networks that would provide for the rapid, efficient deployment of emergency services would enable faster delivery of emergency care with reduced fatalities and severity of injuries. With each year since passage of the 911 Act, additional anecdotal evidence supports the public safety value of improved wireless communications in aiding lost, ill or injured individuals such as motorists, hikers and boaters.

As an outgrowth of the 911 Act, the FCC mandated wireless carriers, such as T-Mobile, to provide enhanced 911 services ("E911") as part of their communications networks. These services ultimately allow 911 public safety dispatchers to identify a wireless caller's geographical location within several hundred feet. T-Mobile has deployed and continues to deploy network technologies to implement the FCC's E911 mandates. The proposed Facility in Thompson will become an integral component of T-Mobile's E911 network in this area of the state. These factors will apply equally to other wireless carriers as they expand their service in the Thompson area through the proposed Facility.

C. Technological Alternatives

The FCC licenses granted to T-Mobile and other wireless carriers authorize them to provide cellular and PCS services in this area of the State through deployment of a network of wireless transmitting sites. The proposed Facility is a necessary component of T-Mobile's wireless network. The proposed Facility will also allow other wireless carriers to provide services in this area.

Repeaters, microcell transmitters, distributed antenna systems and other types of transmitting technologies are not a practicable or feasible means to providing service

within the sizeable coverage gap in this area. Significant terrain variations and tree cover in Thompson and the surrounding area, as well as other practical considerations limit the use of such technologies. As such, they are not an alternative to the proposed Facility. The Applicants submit that there are no equally effective technological alternatives to construction of a new tower Facility for providing reliable personal wireless services in this area of Connecticut.

IV. Site Selection and Tower Sharing

A. Site Selection

A search area is an area where a coverage and/or capacity problem exists within a carrier's network and where a new wireless facility is needed to provide service to the public. In general, wireless carriers and developers attempt to identify any existing towers or other structures of adequate height in a site search area and the surrounding environs which might accommodate the height and structural requirements for a wireless facility. There are no existing towers or other tall structures within approximately two miles of the proposed sites and no wireless facilities exist in this area of Thompson.

Initially, both individual carriers and MCF seek to identify any existing towers or other structures of adequate height in a site search area and the surrounding environs that may accommodate a wireless facility. MCF identified five (5) towers within approximately four (4) miles of the site search area. All are located outside of T-Mobile's search ring and therefore would not provide adequate coverage. In addition, all are noted in the table of "Surrounding Site Information" included in Exhibit G.

Once it was determined that a new tower facility was required, MCF's goal was to find properties upon which a facility could be constructed and provide service to the public while at the same time minimizing any potential environmental impact to the extent

practicable and feasible. The Site Search Narrative in Exhibit H details the locations reviewed during MCF's search and the narrative details the reasons for elimination from consideration of all but the proposed Site.

B. Tower Sharing

To promote the sharing of wireless facilities in the Thompson area, MCF has proposed a Facility that can accommodate up to four antenna platforms and equipment for the wireless carriers in the Connecticut marketplace and the Thompson public safety functions. T-Mobile has committed to use the Facility, if approved. In addition, Verizon has expressed an interest in co-locating at the Facility, if approved. Details of the design are included in Exhibit A. MCF has committed to provide, free of charge, space on the proposed monopole for the Thompson public safety communications antennas.

V. Facility Design

MCF has leased a 10,000 square foot parcel within the approximately 8 acre Property. A redacted copy of MCF's lease for the Site is attached hereto as Exhibit I. The proposed Facility would be constructed as a 150 foot high self-supporting monopole. T-Mobile would install up to nine panel antennas on a platform at 147 feet AGL and occupy an equipment shelter, approximately 12 feet by 20 feet in size, within a 50 foot by 90 foot equipment compound. The compound would be enclosed by a security fence, 8 feet in height. The monopole and equipment compound are designed to accommodate the facilities of all wireless carriers active in the Connecticut marketplace and Thompson emergency services, if requested.

Vehicular access to the Facility would extend from Rich Road via a 132 foot gravel access driveway to the equipment compound. Utility connections would extend underground from existing utility pole on Rich Road to the compound. Exhibit A contains

the specifications for the proposed Facility at the Site including a site plan, a compound plan, tower elevation, access map and other relevant information contained in a Site Evaluation Report and Facilities and Equipment Specifications. Exhibit J includes a copy of the Phase I Archeological Assessment that was conducted and Exhibit K includes a computer-based, predictive viewshed map, photosimulations, sightline graphs and visibility analysis taken after a balloon float at the Site. Exhibit L includes a wetlands report conducted of the Site. Some of the relevant information included in these exhibits for the Site reveals that:

- The property is classified in the RU-40 Residential zoning district;
- No wetlands are found within 194 feet of the proposed site or new access drive;
- The Property is and will continue to be used undeveloped, wooded land;
- Minimal clearing would be required for development of the proposed access drive and compound area;
- The proposed Facility will have no effect on historic or architectural resources according to the State Historic Preservation Officer; and
- The proposed Facility will have no impact on water flow, water quality, or air quality and will not emit any noise.

VI. Environmental Compatibility

Pursuant to CGS Section 16-50p, the Council is required to find and to determine as part of the Application process any probable environmental impact of the facility on the natural environment, ecological balance, public health and safety, scenic, historic and recreational values, forest and parks, air and water purity and fish and wildlife. As demonstrated in this Application and the accompanying Attachments and documentation, the proposed Facility will have no significant adverse environmental impacts.

A. Visual Assessment

The visual impact of the proposed Facility would vary from different locations around the towers depending upon factors such as vegetation, topography, distance from the towers, and the location of structures around the towers. The Applicants retained Clough Harbour & Associates LLP ("CHA") to prepare the visual resources evaluation.

Exhibit K contains a computer-based, predictive viewshed model which depicts the potential impact of the proposed Facility from surrounding views for the Site, a visual methodology report, site line graphs and photosimulations.

In general, the visibility of the proposed tower at the Site is insignificant. In general, the visibility report demonstrates that the Facility would be visible year-round from only 392 acres, which is approximately 5% of the entire study area. In addition, the Facility will be visible seasonally from an additional 32 acres, which is approximately an additional .4% of the entire study area. Overall, ninety-six residences would have year-round visibility and an additional nineteen residences will have seasonal visibility of some portion of the Facility. The visibility of the tower at the proposed Site will be minimized due largely to the topography and extent of tree cover found within the Study Area.

The compound area will have a de minimis visual impact as it will be screened by the proposed fencing and the existing mature vegetation at the Site. As can be seen from the comprehensive site plan at Exhibit A, the Site is located deep within the Property, which consists of mature, wooded vegetation, which will eliminate virtually any potential visual impact of the compound area.

Weather permitting, MCF will raise a balloon with a diameter of at least three (3) feet at the proposed Site on the day of the Council's first hearing session from 3 p.m. until

5 p.m. (or a time otherwise determined by the Council) on this Application, or at a time otherwise specified by the Council.

B. Solicitation of State Agency Comments

MCF submitted requests for review and comment for each site to the Connecticut State Historic Preservation Officer (“SHPO”) and Department of Environmental Protection (“DEP”) representatives responsible for the Natural Diversity Data Base and endangered species review. SHPO and DEP response letters are attached hereto as Exhibit M. This correspondence confirms that the proposed Facility will have no impact on any endangered and threatened species, designated wilderness areas, wildlife preserves, endangered and threatened species, historic districts or sites, Indian religious sites or archeological resources.

C. Power Density Analysis

In August 1996, the FCC adopted a standard for exposure to Radio Frequency (“RF”) emissions from telecommunications facilities like those proposed in this Application. To ensure compliance with applicable standards, T-Mobile has performed maximum power density calculations for the proposed Facility assuming that the antennas were pointed at the base of the tower and all channels were operating simultaneously. The resulting power density for T-Mobile’s operations at the proposed Site would be approximately 2.163% of the applicable MPE standards. A copy of the power density calculation is attached as Exhibit N.

D. Other Environmental Factors

The proposed Facility would be unmanned, requiring monthly maintenance visits by each carrier that will last approximately one hour. T-Mobile’s equipment at the Facility would be monitored 24 hours a day, 7 days a week from a remote location. The

proposed Facility at the Site would not require a water supply or wastewater utilities. No outdoor storage or solid waste receptacles will be needed. Further, the proposed Facility will not create or emit any smoke, gas, dust or other air contaminants, noise, odors or vibrations. The construction and operation of the proposed Facility will have no significant impact on the air, water, or noise quality at the Site.

MCF has evaluated the Site in accordance with the FCC's regulations implementing the National Environmental Policy Act of 1969 ("NEPA"). A preliminary NEPA report is attached hereto as Exhibit O. MCF is still awaiting a sign-off regarding Indian Religious Sites. MCF has received a preliminary determination from the Mashantucket Pequot tribe that there are no properties of religious or cultural importance within the area but requested that a Phase I Archeological Assessment be performed. The Phase I Archeological Assessment was performed and forwarded to the Mashantucket Pequot tribe and MCF is awaiting a response. In addition, MCF forwarded the site information to the Narragansett Tribe for their review. They have scheduled a site visit and MCF is awaiting a determination from that site visit.

The Preliminary NEPA Report indicates that the Site was not identified as a wilderness area. No National Parks, National Forests, National Parkways or Scenic Rivers, State Forest, State Designated Scenic Rivers or State Gamelands are located in the vicinity of the Site. The Site is not located in or adjacent to any areas identified as a federal wildlife preserve. Further, according to the site survey and field investigation and environmental report attached as Exhibit L, no federally regulated wetlands or watercourses will be impacted by the proposed Facility. Federal Emergency Management Agency ("FEMA") Flood Insurance Rate Maps of the proposed Site indicated that the Site is not located in the 100 year floodplain.

As such, and based on the information contained in other reports included in this Application, the Site is categorically excluded from any requirement for further environmental review by the FCC in accordance with NEPA and no permit is required by that agency prior to construction of the proposed Facility. See 47 C.F.R. §§ 1.1306(b) and 1.1307(a).

VII. Consistency with the Thompson Land Use Regulations

Pursuant to the Council's Application Guide, included in this section is a narrative summary of the consistency of the project with the local municipality's zoning and wetland regulations and plan of conservation and development. A description of the zoning classification of the Site and the planned and existing uses of the proposed site locations are also detailed in this section.

A. Thompson Plan of Conservation and Development

The Thompson Plan of Conservation and Development (the "Plan"), a copy of which is included in the bulk filing, was adopted in December 1999. While wireless communications and telecommunications facilities are not specifically addressed, one of the important goals delineated in the Plan is to ensure that "the facilities and services needed to address the needs and desires of its residents are in place." See Bulk Filing, Plan at 27. Additionally, the Plan articulates a goal of "being fully supportive of its volunteer fire, ambulance, and emergency medical services" Id. Accordingly, MCF respectfully submits that the proposed Facility, which will provide needed wireless communications service within the Town and a means for upgrading the Town's emergency communications, is consistent with the Town's plan for wireless communications.

B. Thompson Zoning Regulations and Zoning Classification

According to the Town's zoning map and municipal tax records, the Site is classified in the R-40 Residential zoning district.

Article IX, section 7 of the Town's Zoning Regulations sets forth the Town's Wireless Telecommunications regulations. Section 7(1)(b) states that the purpose(s) of the wireless regulations is, *inter alia*, "to require joint use of new or existing towers and facilities whenever possible," and Section 7(1)(c) "to avoid potential damage to adjacent properties from tower failure through engineering and careful siting of towers." See Bulk Filing, Zoning Regulations, § 7(1). This application addresses those goals. T-Mobile has committed to locating on the Facility and will serve as the anchor tenant and Verizon has also committed to locating on the Facility, additionally there will be room for two additional carriers to locate on the Facility. These tower sharing plans comply with the Town's goal of joint use of new towers and facilities. Also, the Facility is located on the Property such that in the unlikely event of a tower failure, abutting properties would not be affected.

Article IX, section 7(3) of the Zoning Regulations sets forth the standards and dimensional requirements for proposed wireless telecommunications towers. Consistency of the proposed Facility with these standards and dimensional requirements are illustrated in the table below.

Standards and Dimensional Requirements

Regulation Section	Requirement of Regulation	Proposal
Article IX, Section 7 (3)(c)	Minimum Lot Area	Site
	Min. Lot Area is 40,000 square feet (for underlying zone)	Lot size is greater than 340,000 square feet
Article IX, Section 7 (3) (a)	Maximum Height	Site
	Minimum Height Needed	Proposed Height is 150 feet
Article IX, Section 7 (3)(b)	Setback	Site
	Minimum Setback is the proposed tower height, or 150 feet	Setback to closest property line from tower is 150 feet
Article IX, Section 7 (3)(d)	Design	Site
	Must be monopole, unless otherwise modified and approved by Council	Monopole design
Article IX, Section 7 (3)(e)	Color	Site
	Towers not requiring FAA painting shall be painted a blue, gray, or other neutral color	No lighting will be required. MCF will paint the tower as required by the Council
Article IX, Section 7 (3)(f)	Lighting	Site
	None permitted unless required by the FAA	No lighting proposed

C. Planned and Existing Land Uses

The proposed Site will be located in the northeast portion of an approximately 8 acre Property. The Property contains no development and no development other than the proposed Facility is planned. Residential development surrounds the Property.

Consultation with municipal officials and observations did not indicate any known or planned changes in surrounding land uses.

D. Thompson Inland Wetlands and Watercourses Regulations

The Thompson Inland Wetlands and Watercourses Regulations (“Local Wetlands Regulations”) regulate certain activities conducted in or adjacent to “wetlands” as defined therein. One such regulated activity is “any removal or deposition of material; or any obstruction, construction, alteration or pollution” of such wetland and in areas adjacent to a wetland or watercourse. Wetlands buffers are defined as 100 feet measured from the wetland or watercourses. See Bulk Filing, Inland Wetlands Regulations at pg. 4, “Regulated Activity,” and sec. 6.1-6.2.

According to the site survey and field investigations conducted at the Site location as well as the wetlands reports, no watercourses or wetlands are located within 194 feet of the proposed Site. See Exhibit A, Exhibit L. In accordance with the Connecticut Soil Erosion Control Guidelines, as established by the Council of Soil and Water Conservation, soil erosion control measures and other best management practices will be established and maintained throughout the construction of the proposed Facility.

VIII. Consultations with Local, State and Federal Officials

A. Local Consultations

CGS Section 16-50/(e) requires an applicant to consult with the local municipality in which a proposed facility may be located.

On September 25, 2006, MCF submitted a technical report for the development of a telecommunications facility on Wilsonville Road (“Original Report”). In the Original Report, MCF proposed to construct a telecommunications facility on private property located at 0 Wilsonville Road. On or about September 25, 2006, MCF met with Town

officials to discuss the Original Report. During the course of MCF's municipal consultation, town officials indicated to MCF that the Town was interested in locating a facility on Town-owned property off of Rich Road. MCF proceeded to investigate the Rich Road property pursuant to the Town's request.

Pursuant to the requirements of C.G.S. § 8-24, MCF attended a town meeting on November 21, 2006 where MCF presented its proposal to the Town and the Town's citizens had the opportunity to voice their opinion and vote on the proposal. Subsequently, the town approved the lease for the Property and MCF and the Town entered into lease negotiations and executed a lease for the development of a facility on Town property located off of Rich Road. On or about May 29, 2007, MCF submitted a Supplemental Technical Report based on the Site as recommended by the Town.

A copy of the correspondence with the Town is attached hereto as Exhibit P.

B. Consultations with State Officials

As noted in Section VI.B of this Application, MCF consulted with and requested review of the proposed Facility from DEP and SHPO. Exhibit M contains DEP and SHPO's correspondence regarding the proposed Site. Both DEP and SHPO stated that the proposed Facility will have no effect on environmental or historic resources. SHPO has requested that the Co-Applicants forward to SHPO a final reconnaissance report on the Site for technical review and analysis. The Co-Applicants will forward such report upon completion.

C. Consultation with Federal Agencies

MCF has received a preliminary determination from the Federal Aviation Administration ("FAA") for the Site, which are included in Exhibit Q. The results indicate the proposed Facility would not even require FAA registration, let alone FAA review as a

potential air navigation obstruction or hazard. As such, no FAA lighting or marking would be required for the towers proposed in this Application. The final determination from the FAA is pending and will be forwarded to the Council upon receipt.

T-Mobile's FCC license permits it to modify its network by building wireless facilities within its licensed area without prior approval from the FCC provided that a proposed facility does not fall within one of the "listed" categories requiring review under NEPA. The "listed" categories, included in 47 CFR §1.1307, are activities that may affect wilderness areas, wilderness preserves, endangered or threatened species, critical habitats, National Register historic districts, sites, buildings, structures or objects, Indian religious sites, flood plains and federal wetlands. As noted in Section VI.D of this Application, MCF conducted a review for the Site and determined that the Site does not fall under any of the NEPA "listed" categories of 47 CFR §1.1307. Therefore, the proposed Facility does not require review by the FCC pursuant to NEPA.

IX. Estimated Cost and Schedule

A. Overall Estimated Cost

The total estimated cost of construction for the proposed Facility is \$494,196. This estimate includes:

- (1) Tower and foundation costs (including installation) of approximately \$244,811;
- (2) Site development costs of approximately \$233,927; and
- (3) Utility installation costs of approximately \$59,546.

B. Overall Scheduling

Site preparation and engineering would commence immediately following Council approval of MCF's Development and Management ("D&M") Plan and is expected to be

completed within three (3) to four (4) weeks. Installation of the monopole, antennas and associated equipment is expected to take an additional two (2) weeks. The duration of the total construction schedule is approximately six (6) weeks. Facility integration and system testing is expected to require an additional two (2) weeks after the construction is completed.

X. Conclusion

This Application and the accompanying materials and documentation clearly demonstrate that a public need exists in the Thompson area for improved wireless services. The foregoing information and attachments also demonstrate that the proposed Facility will not have any substantial adverse environmental effects. The Applicants respectfully submit that the public need for the proposed Facility outweighs any potential environmental effects resulting from the construction of the proposed Facility at the Site. As such, the Applicants respectfully request that the Council grant a Certificate of Environmental Compatibility and Public Need to MCF for a proposed wireless telecommunication facility at Rich Road, Thompson, Connecticut.

Respectfully Submitted,

By: 

Attorneys for the Applicant
Julie Donaldson Kohler, Esq.
jkohler@cohenandwolf.com
Carrie L. Larson, Esq.
clarson@cohenandwolf.com
Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604
Tel. (203) 368-0211
Fax (203) 394-9901