STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE:	:	
	:	
APPLICATION OF CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF A WIRELESS TELECOMMUNICATIONS FACILITY AT THE GAYLORDSVILLE VOLUNTEER FIRE DEPARTMENT, NEW MILFORD, CONNECTICUT	:	DOCKET NO. 347
	:	NOVEMBER 14, 2007

RESPONSES OF CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS TO
CONNECTICUT SITING COUNCIL PRE-HEARING INTERROGATORIES, SET ONE

On October 18, 2007, the Connecticut Siting Council ("Council") issued Pre-Hearing Interrogatories to the Applicant, Cellco Partnership d/b/a Verizon Wireless ("Cellco"), relating to the above-captioned docket. Below are Cellco's responses.

Question No. 1

What frequencies is Cellco licensed to use in Litchfield County?

Response

In Litchfield County, Cellco is licensed to operate in the PCS F Block (1970-1975 MHz) and PCS C3 Block (1975-1980 MHz) frequency bands.

Question No. 2

What is the Wireless Communications and Public Safety Act of 1999?

Response

The Wireless Communications and Public Safety Act of 1999 (the "Act") was passed by Congress and became law on October 26, 1999. The stated purpose of the Act was to promote and enhance public safety by making 9-1-1 as the universal emergency assistance number, by furthering deployment of wireless 9-1-1 capabilities and related functions, and by encouraging construction and operation of seamless ubiquitous and reliable networks for wireless services. A copy of the Act is included in Attachment 1.

Question No. 3

Would Cellco's antennas be compliant with E911 requirements?

Response

Yes.

Question No. 4

Identify distances and directions to the adjacent sites with which the proposed site would hand off signals. What types of facilities are these sites?

Response

Cellco's Kent South cell site is located approximately 2.3 miles north of the New Milford NW Facility. At the Kent South cell site Cellco antennas are mounted at the 160-foot level on the existing 180-foot SpectraSite tower at 136 Bulls Bridge Road in Kent Connecticut. Cellco's New Milford West cell site is located approximately 4.1 miles to the southeast of the proposed New Milford NW Facility. At the New Milford West cell site Cellco antennas are mounted at the 130-foot level on a 150-foot Sprint tower at 86 Boardman Road, in New Milford.

Question No. 5

Provide the following information for Cellco antennas: number of channels per sector for each antenna system that would be installed on the proposed tower, ERP per channel for each antenna system, and frequency at which each antenna system would operate.

Response

Alpha Sector – 120 Ft.	Beta Sector – 120 Ft.	Gamma Sector – 120 Ft.
Antenna Type: BXA – 185063/12CF	Antenna Type: BXA – 185063/12CF	Antenna Type: BXA – 185063/12CF
Frequency: 1970-1975 MHz	Frequency: 1970-1975 MHz	Frequency: 1970-1975 MHz
No. Channels: 6	No. Channels: 6	No. Channels: 6
ERP/Channel: 485 W Max	ERP/Channel: 485 W Max	ERP/Channel: 485 W Max

Question No. 6

Provide the following information for the Town of New Milford antenna(s): number of channels per sector for each antenna system that would be installed on the proposed tower, ERP per channel for each antenna system, frequency at which each antenna system would operate, and centerline height of antennas.

Response

Cellco does not have access to this information for the Gaylordsville Volunteer Fire Department antennas.

Question No. 7

What is the lowest height at which Cellco's antennas could achieve its coverage objectives from this site? Submit propagation maps showing the coverage at ten feet below this height.

Response

Cellco's antennas are located at the lowest level needed to satisfy its coverage objectives in this area. A coverage plot, showing Cellco's coverage at the 110-foot level as requested is included in Attachment 2. At 110 feet, Cellco antennas will provide coverage to a 2.3 mile portion of Route 7, a 0.7 mile portion of Route 55 and an overall area of 3.6 square miles.

Question No. 8

Of the letters sent to abutting property owners, how many certified mail receipts did Cellco receive? If any receipts were not returned, which owners did not receive their notice? Did Cellco make additional attempts to contact those property owners?

Response

All but one of the certified mail receipts were returned by the abutters. One abutter's letter, to Bastketshop Properties Family Limited Partnership was returned marked "unclaimed". That letter was resent to the same address by first class mail.

Question No. 9

What is the in-vehicle signal strength for which Cellco designs its system? The in-building signal strength?

Response

Cellco's signal coverage threshold is -85 dBm for in-vehicle coverage and -75 dBm for in-building coverage.

Question No. 10

What is the existing signal strength in those areas Cellco is seeking to cover from this site? How were these signal strengths determined?

Response

Cellco's existing signal strength in the area ranges from -86 dBm to -105 dBm. These signal levels are determined through the use of Cellco's propagation modeling tools and confirmed using monthly drive data from Cellco's existing network.

Question No. 11

Did Cellco conduct any drive tests for this site? If so, provide information depicting the results of these tests.

Response

No.

Question No. 12

What are the distances Cellco's antennas would cover on Routes 7 and 55?

Response

The New Milford NW Facility Cellco will provide coverage to approximately 2.4 miles of Route 7 and 0.9 miles of Route 55.

Question No. 13

What is the total area Cellco's antennas would cover from this site?

Response

The New Milford NW Facility will maintain an overall coverage footprint of approximately 4.34 square miles.

Question No. 14

How many trees with a diameter of 6" or greater at breast height would be removed to develop this site?

Response

Seven.

Question No. 15

Quantify the amounts of cut and fill that would be required to develop this site.

Response

Approximately 10 cubic yards of fill and approximately 10 cubic yards of cut will be required to develop the proposed site.

Question No. 16

How many antenna placements would the tower be designed to accommodate?

Response

Four.

Question No. 17

When was Cellco's search ring for this area first issued? How large was the ring? Where was it centered? Submit a map showing the search ring.

Response

The New Milford NW search area was established in June of 2004. The ring has a radius of approximately 0.2 miles and is centered on the intersection of Routes 7 and 55. A copy of the search ring map is included in Attachment 3.

Question No. 18

Has Cellco contacted any other carriers about the possibility of using this site? If so, have any other carriers shown a potential interest in this site? Provide any supporting documentation.

Response

Yes. As it does with all of its pending applications, Cellco has contacted representatives for AT&T, Sprint Nextel and T-Mobile, and made them aware of the pending New Milford NW tower application. Based on the location of each carrier's adjacent site, it is likely that some, if not all, of these carriers will need the New Milford NW location at some point in the future. None, however, have committed to sharing the tower at this time.

Question No. 19

Would any blasting be required to develop this site?

Response

Until a final geotechnical survey is completed, at the time of D&M Plan approval, Cellco will not know whether blasting will be required to construct the facility. However, based on existing site conditions, we do not anticipate the need for blasting.

Question No. 20

How many kilowatts does Cellco require its back-up generator to provide for reliable service? Are there fuel cells available that could supply this amount of power?

Response

As discussed in recent dockets, Cellco has recently deployed, in an "in the filed" test, a 12 kilowatt hydrogen fuel cell at a cell site in West Milford, New Jersey. A fuel cell of this size is sufficient to power Cellco's Lucent Mod Cell equipment and provide back up power for approximately 14 to 16 hours before requiring refueling.

Question No. 21

What is the reason Cellco is using propane to fuel its back-up generator instead of diesel?

Response

The Gaylordsville Volunteer Fire Department currently maintains underground gasoline and fuel oils tanks on site. By using a propane-fueled generator, Cellco and the property owner would be able to easily distinguish between the two fuel sources, if, in the future there is an unintended release.

Question No. 22

How would utilities be brought to the site?

Response

Currently, Cellco would plan to run utilities underground from the existing service along South Kent Road. CL&P will make the final determination on the routing of utilities following the Council's approval of the Kent Facility.

Question No. 23

How would Cellco mount its antennas on the proposed tower?

Response

Cellco proposes the installation of a low profile antenna platform. However, Cellco would be willing to utilize T-Arms if preferred by the Council.

Question No. 24

Would the tower's setback radius encroach on the Cromwell family trust property?

Response

No. As shown on Drawing SC-1, behind Tab 1 of the Application, the tower's setback radius stays completely within the property owned by the Gaylordsville Volunteer Fire Department.

Question No. 25

Who owns the nearest home?

Response

The nearest home to the tower site is located approximately 225 feet to the west and is owned by Robert M. Zaloski, 702 Kent Road, Gaylordsville, CT.

Question No. 26

Where is the Housatonic Range Trail in relation to the proposed site?

Response

The nearest point along the Housatonic Range Trail is located more than a mile (approximately 6,000 feet), to the southeast of the proposed cell site.

Question No. 27

The application estimates that eight properties would have seasonal views of the tower. Are these properties residential?

Response

The eight properties where seasonal views of the proposed tower may exist are residential and are located along South Kent Road, Kent Road and Riverview Road, or in the general vicinity of the Gaylordsville Volunteer Fire Department property.

Question No. 28

What are the distances to the four Cellco sites identified in Attachment 9 – Bulls Bridge Road, Boardman Road, Route 37 in Sherman, and Elkington Road?

Response

1. The Bulls Bridge Road tower is located 2.3 miles to the south.
2. The Boardman Road tower is located 4.1 miles to the southeast.

3. The Route 37 farm silo in Sherman is located 4.5 miles to the southwest.

4. The Elkington Farm Road tower is located 5.6 miles to the southeast.

Question No. 29

Would this facility be able to interact with a facility proposed for 425 Litchfield Road, New Milford (Docket 342)? If not, what are the factors that would prevent these two facilities from exchanging signals?

Response

No. The proposed Optasite tower at 425 Litchfield Road is located more than 4.9 miles east of the proposed New Milford NW Facility.

CERTIFICATION

I hereby certify that on this 14th day of November, 2007, a copy of the foregoing was mailed, postage prepaid, to the following parties and intervenors:

New Milford Zoning Commission
c/o D. Randall DiBella, Esq.
Cramer & Anderson LLP
51 Main Street
New Milford, CT 06776

Theodore M. and Ellen Berson
P.O. Box 137
Gaylordsville, CT 06755

Kenneth C. Baldwin

WIRELESS COMMUNICATIONS AND PUBLIC SAFETY ACT OF 1999

Public Law 106–81
106th Congress

An Act

To promote and enhance public safety through use of 9–1–1 as the universal emergency assistance number, further deployment of wireless 9–1–1 service, support of States in upgrading 9–1–1 capabilities and related functions, encouragement of construction and operation of seamless, ubiquitous, and reliable networks for personal wireless services, and for other purposes.

Oct. 26, 1999
[S. 800]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Wireless Communications and Public Safety Act of 1999.
47 USC 609 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Wireless Communications and Public Safety Act of 1999".

47 USC 615 note.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) the establishment and maintenance of an end-to-end communications infrastructure among members of the public, emergency safety, fire service and law enforcement officials, emergency dispatch providers, transportation officials, and hospital emergency and trauma care facilities will reduce response times for the delivery of emergency care, assist in delivering appropriate care, and thereby prevent fatalities, substantially reduce the severity and extent of injuries, reduce time lost from work, and save thousands of lives and billions of dollars in health care costs;

(2) the rapid, efficient deployment of emergency telecommunications service requires statewide coordination of the efforts of local public safety, fire service and law enforcement officials, emergency dispatch providers, and transportation officials; the establishment of sources of adequate funding for carrier and public safety, fire service and law enforcement agency technology development and deployment; the coordination and integration of emergency communications with traffic control and management systems and the designation of 9–1–1 as the number to call in emergencies throughout the Nation;

(3) emerging technologies can be a critical component of the end-to-end communications infrastructure connecting the public with emergency medical service providers and emergency dispatch providers, public safety, fire service and law enforcement officials, and hospital emergency and trauma care facilities, to reduce emergency response times and provide appropriate care;

(4) improved public safety remains an important public health objective of Federal, State, and local governments and substantially facilitates interstate and foreign commerce;

(5) emergency care systems, particularly in rural areas of the Nation, will improve with the enabling of prompt notification of emergency services when motor vehicle crashes occur; and

(6) the construction and operation of seamless, ubiquitous, and reliable wireless telecommunications systems promote public safety and provide immediate and critical communications links among members of the public; emergency medical service providers and emergency dispatch providers; public safety, fire service and law enforcement officials; transportation officials, and hospital emergency and trauma care facilities.

(b) PURPOSE.—The purpose of this Act is to encourage and facilitate the prompt deployment throughout the United States of a seamless, ubiquitous, and reliable end-to-end infrastructure for communications, including wireless communications, to meet the Nation's public safety and other communications needs.

SEC. 3. UNIVERSAL EMERGENCY TELEPHONE NUMBER.

(a) ESTABLISHMENT OF UNIVERSAL EMERGENCY TELEPHONE NUMBER.—Section 251(e) of the Communications Act of 1934 (47 U.S.C. 251(e)) is amended by adding at the end the following new paragraph:

"(3) UNIVERSAL EMERGENCY TELEPHONE NUMBER.—The Commission and any agency or entity to which the Commission has delegated authority under this subsection shall designate 9–1–1 as the universal emergency telephone number within the United States for reporting an emergency to appropriate authorities and requesting assistance. The designation shall apply to both wireline and wireless telephone service. In making the designation, the Commission (and any such agency or entity) shall provide appropriate transition periods for areas in which 9–1–1 is not in use as an emergency telephone number on the date of enactment of the Wireless Communications and Public Safety Act of 1999.".

(b) SUPPORT.—The Federal Communications Commission shall encourage and support efforts by States to deploy comprehensive end-to-end emergency communications infrastructure and programs, based on coordinated statewide plans, including seamless, ubiquitous, reliable wireless telecommunications networks and enhanced wireless 9–1–1 service. In encouraging and supporting that deployment, the Commission shall consult and cooperate with State and local officials responsible for emergency services and public safety, the telecommunications industry (specifically including the cellular and other wireless telecommunications service providers), the motor vehicle manufacturing industry, emergency medical service providers and emergency dispatch providers, transportation officials, special 9–1–1 districts, public safety, fire service and law enforcement officials, consumer groups, and hospital emergency and trauma care personnel (including emergency physicians, trauma surgeons, and nurses). The Commission shall encourage each State to develop and implement coordinated statewide deployment plans, through an entity designated by the governor, and to include representatives of the foregoing organizations and entities in development and implementation of such plans. Nothing in this subsection

47 USC 615.

shall be construed to authorize or require the Commission to impose obligations or costs on any person.

47 USC 615a.

SEC. 4. PARITY OF PROTECTION FOR PROVISION OR USE OF WIRELESS SERVICE.

(a) PROVIDER PARITY.—A wireless carrier, and its officers, directors, employees, vendors, and agents, shall have immunity or other protection from liability in a State of a scope and extent that is not less than the scope and extent of immunity or other protection from liability that any local exchange company, and its officers, directors, employees, vendors, or agents, have under Federal and State law (whether through statute, judicial decision, tariffs filed by such local exchange company, or otherwise) applicable in such State, including in connection with an act or omission involving the release to a PSAP, emergency medical service provider or emergency dispatch provider, public safety, fire service or law enforcement official, or hospital emergency or trauma care facility of subscriber information related to emergency calls or emergency services.

(b) USER PARITY.—A person using wireless 9–1–1 service shall have immunity or other protection from liability of a scope and extent that is not less than the scope and extent of immunity or other protection from liability under applicable law in similar circumstances of a person using 9–1–1 service that is not wireless.

(c) PSAP PARITY.—In matters related to wireless 9–1–1 communications, a PSAP, and its employees, vendors, agents, and authorizing government entity (if any) shall have immunity or other protection from liability of a scope and extent that is not less than the scope and extent of immunity or other protection from liability under applicable law accorded to such PSAP, employees, vendors, agents, and authorizing government entity, respectively, in matters related to 9–1–1 communications that are not wireless.

(d) BASIS FOR ENACTMENT.—This section is enacted as an exercise of the enforcement power of the Congress under section 5 of the Fourteenth Amendment to the Constitution and the power of the Congress to regulate commerce with foreign nations, among the several States, and with Indian tribes.

SEC. 5. AUTHORITY TO PROVIDE CUSTOMER INFORMATION.

Section 222 of the Communications Act of 1934 (47 U.S.C. 222) is amended—

(1) in subsection (d)—

(A) by striking "or" at the end of paragraph (2);

(B) by striking the period at the end of paragraph (3) and inserting a semicolon and "and"; and

(C) by adding at the end the following:

"(4) to provide call location information concerning the user of a commercial mobile service (as such term is defined in section 332(d))—

"(A) to a public safety answering point, emergency medical service provider or emergency dispatch provider, public safety, fire service, or law enforcement official, or hospital emergency or trauma care facility, in order to respond to the user's call for emergency services;

"(B) to inform the user's legal guardian or members of the user's immediate family of the user's location in an emergency situation that involves the risk of death or serious physical harm; or

"(C) to providers of information or database management services solely for purposes of assisting in the delivery of emergency services in response to an emergency.".

(2) by redesignating subsection (f) as subsection (h) and by inserting the following after subsection (e):

"(f) AUTHORITY TO USE WIRELESS LOCATION INFORMATION.—For purposes of subsection (c)(1), without the express prior authorization of the customer, a customer shall not be considered to have approved the use or disclosure of or access to—

"(1) call location information concerning the user of a commercial mobile service (as such term is defined in section 332(d)), other than in accordance with subsection (d)(4); or

"(2) automatic crash notification information to any person other than for use in the operation of an automatic crash notification system.

"(g) SUBSCRIBER LISTED AND UNLISTED INFORMATION FOR EMERGENCY SERVICES.—Notwithstanding subsections (b), (c), and (d), a telecommunications carrier that provides telephone exchange service shall provide information described in subsection (i)(3)(A) (including information pertaining to subscribers whose information is unlisted or unpublished) that is in its possession or control (including information pertaining to subscribers of other carriers) on a timely and unbundled basis, under nondiscriminatory and reasonable rates, terms, and conditions to providers of emergency services, and providers of emergency support services, solely for purposes of delivering or assisting in the delivery of emergency services.";

(3) by inserting "location," after "destination," in subsection (h)(1)(A) (as redesignated by paragraph (2)); and

(4) by adding at the end of subsection (h) (as redesignated), the following:

"(4) PUBLIC SAFETY ANSWERING POINT.—The term 'public safety answering point' means a facility that has been designated to receive emergency calls and route them to emergency service personnel.

"(5) EMERGENCY SERVICES.—The term 'emergency services' means 9–1–1 emergency services and emergency notification services.

"(6) EMERGENCY NOTIFICATION SERVICES.—The term 'emergency notification services' means services that notify the public of an emergency.

"(7) EMERGENCY SUPPORT SERVICES.—The term 'emergency support services' means information or data base management services used in support of emergency services.".

SEC. 6. DEFINITIONS.

47 USC 615b.

As used in this Act:

(1) SECRETARY.—The term "Secretary" means the Secretary of Transportation.

(2) STATE.—The term "State" means any of the several States, the District of Columbia, or any territory or possession of the United States.

(3) PUBLIC SAFETY ANSWERING POINT; PSAP.—The term "public safety answering point" or "PSAP" means a facility that has been designated to receive 9–1–1 calls and route them to emergency service personnel.

(4) WIRELESS CARRIER.—The term "wireless carrier" means a provider of commercial mobile services or any other radio communications service that the Federal Communications Commission requires to provide wireless 9–1–1 service.

(5) ENHANCED WIRELESS 9–1–1 SERVICE.—The term "enhanced wireless 9–1–1 service" means any enhanced 9–1–1 service so designated by the Federal Communications Commission in the proceeding entitled "Revision of the Commission's Rules to Ensure Compatibility with Enhanced 9–1–1 Emergency Calling Systems" (CC Docket No. 94–102; RM–8143), or any successor proceeding.

(6) WIRELESS 9–1–1 SERVICE.—The term "wireless 9–1–1 service" means any 9–1–1 service provided by a wireless carrier, including enhanced wireless 9–1–1 service.

(7) EMERGENCY DISPATCH PROVIDERS.—The term "emergency dispatch providers" shall include governmental and non-governmental providers of emergency dispatch services.

Approved October 26, 1999.

LEGISLATIVE HISTORY—S. 800 (H.R. 438):

HOUSE REPORTS: No. 106–25 accompanying H.R. 438 (Comm. on Commerce).
SENATE REPORTS: No. 106–138 (Comm. on Commerce, Science, and Transportation).
CONGRESSIONAL RECORD, Vol. 145 (1999):
Aug. 5, considered and passed Senate.
Oct. 12, considered and passed House.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):
Oct. 26, Presidential statement.

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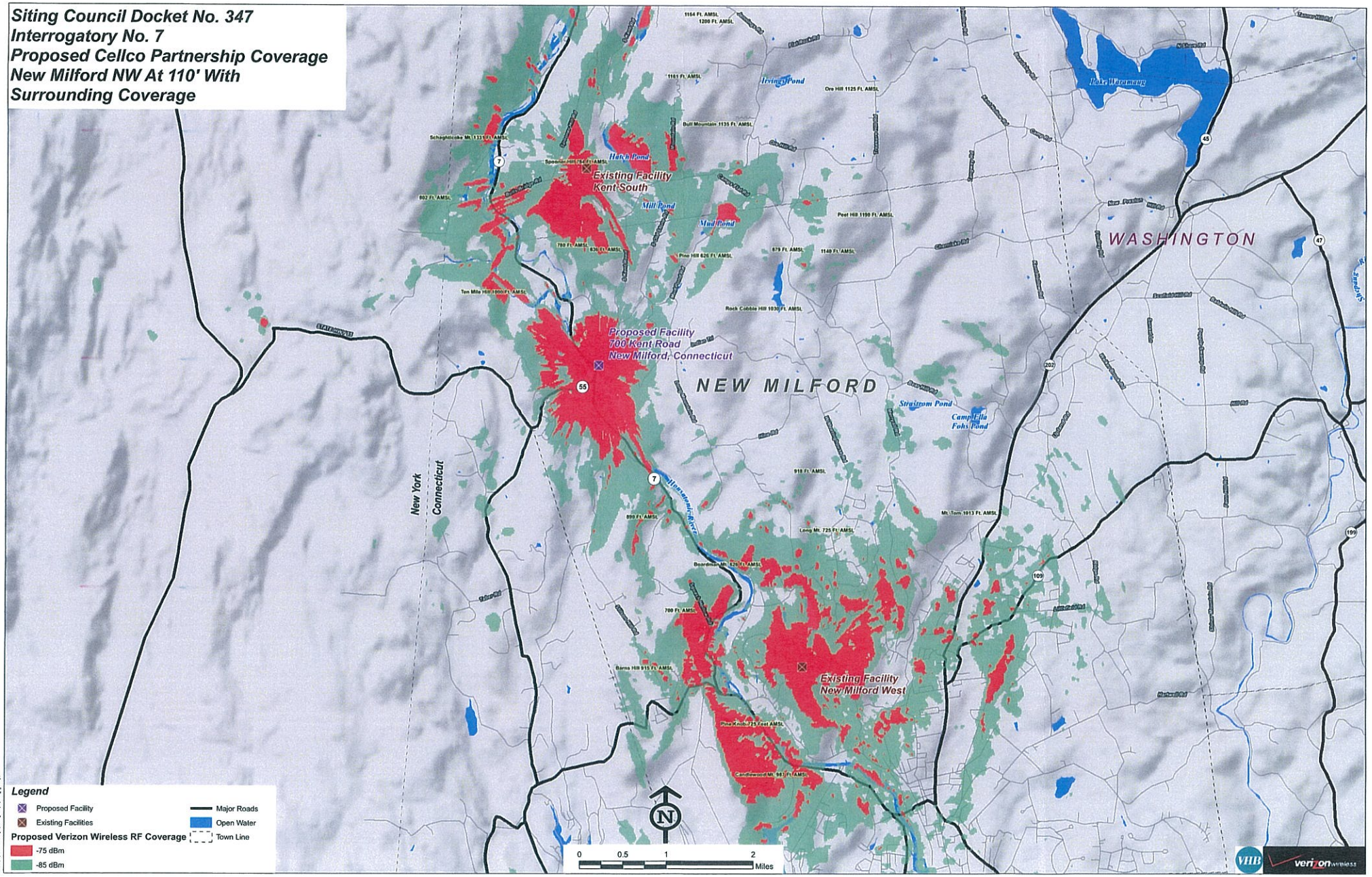
Siting Council Docket No. 347
Interrogatory No. 7
Proposed Cellco Partnership Coverage
New Milford NW At 110' With
Surrounding Coverage
Existing Facility
Kent South
Proposed Facility
700 Kent Road
New Milford, Connecticut
Existing Facility
New Milford West
NEW MILFORD
WASHINGTON
New York
Connecticut
Legend
Proposed Facility
Existing Facilities
Proposed Verizon Wireless RF Coverage
-75 dBm
-85 dBm
Major Roads
Open Water
Town Line
0 0.5 1 2
Miles
verizon wireless