



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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DATE: January 7, 2010

TO: Council Members

FROM: S. Derek Phelps, Executive Director

RE: **DOCKET NO. 396** – SBA Towers II, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 49 Brainerd Road, Niantic (East Lyme), Connecticut.

I. Introduction

The application is from SBA Towers II, LLC for the construction, maintenance, and operation of a 170-foot telecommunications facility and associated equipment in the Town of East Lyme, Connecticut. The facility would provide service along Route 156, the Amtrak corridor in East Lyme, as well as adjacent areas.

The proposed site is located on a 51-acre parcel located at 49 Brainerd Road. The parcel is located in the R-40 residential district.

II. Technical

The application includes relevant maps, description of the proposed site, costs, a description of the environmental effects of the proposed construction, and health and safety information. The application meets statutory technical requirements for processing the application. Council staff believes additional information can be obtained through pre-hearing interrogatories. This project would not require an outside consultant.

III. Administrative Review

The applicant has stated that all service and filing requirements pursuant to General Statutes § 16-501 (b) have been fulfilled. The applicant stated that notice to the general public was published in The Day.

IV. Procedural

The Council must schedule a hearing for the proceeding between 30 and 150 days after receipt of an application. The Council must also appoint a custodian of the docket and designate a place for the deposition of the transcript. Staff recommends designating Lisa Fontaine as custodian of the docket, holding the public hearing in the Town of East Lyme on Tuesday, February 23, 2010, and depositing the transcript in the East Lyme Town Hall.

V. Proposed Schedule

Application received	12/07/2009
Completeness review	01/07/2010
Pre-hearing Questions	
• Set-One Filed	01/13/2010
• Set-One responses due	01/27/2010
• Set-Two Filed	02/02/2010
• Set-Two responses due	02/16/2010
Pre-hearing conference (tentative 10:00 a.m.)	02/02/2010
Final Exchange of Interrogatories between Participants	(02/09/2010)
Pre-filed testimony due	02/16/2010
Deadline to request Party/Intervenor status	02/16/2010
Field review (2:00 p.m.)	02/23/2010
Hearing (3:00 p.m. and 7:00 p.m.)	02/23/2010
Close of Record	03/25/2010
Draft Findings of Fact	04/01/2010
Draft Findings of Fact, Opinion & Decision & Order	04/22/2010
FCC Deadline for Decision (150 days)	05/06/2010
C.G.S. Deadline for Decision (180 days)	06/07/2010

Michael Perrone
Siting Analyst:

c: Lisa Fontaine, Connecticut Siting Council