

1 STATE OF CONNECTICUT
2 CONNECTICUT SITING COUNCIL

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4
5 Docket No. 511

6 Barrett Outdoor Communications application for a
7 Certificate of Environmental Compatibility and
8 Public Need for the construction, maintenance, and
9 operation of a telecommunications facility
10 located at 200 East Main Street Rear,
11 Stratford, Connecticut

12
13 VIA ZOOM AND TELECONFERENCE

14
15 Public Hearing held on Thursday, October 6, 2022,
16 beginning at 2 p.m., via remote access.

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19 H e l d B e f o r e :

20 JOHN MORISSETTE, Presiding Officer

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25 Reporter: Lisa L. Warner, CSR #061

1 **A p p e a r a n c e s :**

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3 **Council Members:**

4 **BRIAN GOLEMBIEWSKI, Designee for**
5 **Commissioner Katie Dykes, Department of**
6 **Energy and Environmental Protection**

7 **ROBERT SILVESTRI**
8 **LOUANNE COOLEY**
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10 **Council Staff:**

11 **MELANIE BACHMAN, ESQ.**
12 **Executive Director and Staff Attorney**

13 **CHRISTINA WALSH**
14 **Supervising Siting Analyst**

15 **LISA FONTAINE**
16 **Fiscal Administrative Officer**

17 **For Applicant Barrett Outdoor**
18 **Communications, Inc.:**

19 **UPDIKE, KELLY & SPELLACY, P.C.**
20 **One Century Tower**
21 **265 Church Street, 10th Floor**
22 **New Haven, Connecticut 06510**
23 **BY: JESSE A. LANGER, ESQ.**

24 **For Intervenor Dish Wireless, LLC:**

25 **CUDDY & FEDER LLP**
 445 Hamilton Avenue, 14th Floor
 White Plains, New York 10601
 BY: DANIEL PATRICK, ESQ.
 KRISTEN MOTEL, ESQ.

1 **A p p e a r a n c e s: (Cont'd)**

2
3 **For Intervenor Cellco Partnership d/b/a
Verizon Wireless:**

4 **ROBINSON & COLE LLP**
5 **280 Trumbull Street**
6 **Hartford, Connecticut 06103-3597**
7 **BY: KENNETH C. BALDWIN, ESQ.**

8
9 **For Intervenor New Cingular Wireless PCS,
LLC d/b/a AT&T:**

10 **BROWN RUDNICK LLP**
11 **185 Asylum Street**
12 **Hartford, Connecticut 06103**
13 **BY: THOMAS J. REGAN, ESQ.**

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15
16 **Zoom co-host: Aaron Demarest**

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19
20 ****All participants were present via remote access.**

1 MR. MORISSETTE: This remote public
2 hearing is called to order this Thursday, October
3 6, 2022, at 2 p.m. My name is John Morissette,
4 member and presiding officer of the Connecticut
5 Siting Council. Other members of the Council are
6 Brian Golembiewski, designee for Commissioner
7 Katie Dykes of the Department of Energy and
8 Environmental Protection, Robert Silvestri,
9 Louanne Cooley and Mark Quinlan. Members of the
10 staff are Melanie Bachman, executive director and
11 staff attorney, Christina Walsh, supervising
12 siting analyst, and Lisa Fontaine, fiscal
13 administrative officer.

14 If you haven't done so already, I ask
15 that everyone please mute their computer audio and
16 telephones now.

17 This hearing is held pursuant to the
18 provisions of Title 16 of the Connecticut General
19 Statutes and of the Uniform Administrative
20 Procedure Act upon an application from Barrett
21 Outdoor Communications for a Certificate of
22 Environmental Compatibility and Public Need for
23 the construction, maintenance, and operation of a
24 telecommunications facility located at 200 East
25 Main Street Rear, Stratford, Connecticut. The

1 application was received by the Council on July
2 25, 2022.

3 The Council's legal notice of the date
4 and time of this remote public hearing was
5 published in The Connecticut Post on August 23,
6 2022. Upon the Council's request, the applicant
7 erected a sign at the entrance of the proposed
8 site as to inform the public of the name of the
9 applicant, the type of facility, the remote public
10 hearing date, and contact information for the
11 Council, including website and phone number.

12 As a reminder to all, off-the-record
13 communications with a member of the Council or a
14 member of the Council staff upon the merits of
15 this application is prohibited by law.

16 The parties and intervenors to the
17 proceeding are as follows: The Applicant, Barrett
18 Outdoor Communications, Inc., represented by Jesse
19 Langer, Esq. of Updike, Kelly & Spellacy.

20 Intervenor Dish Wireless, LLC, its
21 representatives Daniel Patrick, Esq. and
22 Christopher B. Fisher, Esq. of Cuddy & Feder LLP.

23 Intervenor Cellco Partnership doing
24 business as Verizon Wireless, represented by
25 Kenneth C. Baldwin, Esq. of Robinson & Cole LLP.

1 And Intervenor New Cingular Wireless
2 PCS, LLC doing business as AT&T, represented by
3 Thomas J. Regan, Esq. of Brown Rudnick LLP.

4 We will proceed in accordance with the
5 prepared agenda, a copy of which is available on
6 the Council's Docket No. 511 webpage, along with
7 the record of this matter, the public hearing
8 notice, instructions for public access to this
9 remote public hearing, and the Council's Citizens
10 Guide to Siting Council Procedures. Interested
11 persons may join any session of the public hearing
12 to listen, but no public comments will be received
13 during the 2 p.m. evidentiary session. At the end
14 of the evidentiary session we will recess until
15 6:30 p.m. for the public comment session. Please
16 be advised that any person may be removed from the
17 remote evidentiary session or the public comment
18 session at the discretion of the Council.

19 The 6:30 p.m. public comment session is
20 reserved for the public to make brief statements
21 into the record. I wish to note that the
22 applicant, parties and intervenors, including
23 their representatives, witnesses and members, are
24 not allowed to participate in the public comment
25 session. I also wish to note for those who are

1 listening and for the benefit of your friends and
2 neighbors who are unable to join us for the remote
3 public comment session that you or they may send
4 written statements to the Council within 30 days
5 of the date hereof, either by mail or by email,
6 and such written statements will be given the same
7 weight as if spoken during the remote public
8 comment session.

9 A verbatim transcript of this remote
10 public hearing will be posted on the Council's
11 Docket 511 webpage and deposited in the Milford
12 City Clerk's Office and the Stratford Town Clerk's
13 Office for the convenience of the public.

14 Please be advised that the Council's
15 project evaluation criteria under the statute does
16 not include consideration of property value or
17 ownership.

18 We'll take a 10 to 15 minute break at a
19 convenient juncture at around 3:30 p.m.

20 I see on the agenda we have no motions.

21 And we'll now move to administrative
22 notice taken by the Council. I wish to call your
23 attention to those items shown on the hearing
24 program marked Roman Numeral I-B, Items 1 through
25 79 that the Council has administratively noticed.

1 Does any party or intervenor have any
2 objection to the items that the Council has
3 administratively noticed?

4 Attorney Langer.

5 MR. LANGER: Good afternoon, Mr.
6 Morissette. None from the applicant. Thank you.

7 MR. MORISSETTE: Thank you. Attorney
8 Patrick or Fisher?

9 MR. PATRICK: Good afternoon, Mr.
10 Morissette, none from the intervenor DISH.

11 MR. MORISSETTE: Thank you. Attorney
12 Baldwin.

13 MR. BALDWIN: Good afternoon, Mr.
14 Morissette. No objection from Cellco Partnership.

15 MR. MORISSETTE: Thank you. Attorney
16 Regan.

17 MR. REGAN: Good afternoon, Mr.
18 Morissette. No objection from AT&T.

19 MR. MORISSETTE: Very good. Thank you.
20 Accordingly, the Council hereby administratively
21 notices these items.

22 (Council's Administrative Notice Items
23 I-B-1 through I-B-79: Received in evidence.)

24 MR. MORISSETTE: We'll now move on to
25 the appearance by the applicant. Will the

1 applicant present its witness panel for the
2 purpose of taking the oath and Attorney Bachman
3 will administer the oath.

4 MR. LANGER: Yes. Thank you, Mr.
5 Morissette. And good afternoon, Council members.
6 Just for the record, Jesse Langer of Updike, Kelly
7 & Spellacy on behalf of the applicant. And with
8 me here today is John Barrett, who's the vice
9 president of Barrett Outdoor Communications, Inc.;
10 Chuck Regulbuto, who's the director of operations
11 for Northeast Site Solutions, LLC; Dean Gustafson,
12 who's the manager of natural resources,
13 professional soil scientist for All-Points
14 Technology Corporation; and Jason Mead, who is the
15 department manager of structural services,
16 All-Points Technology as well.

17 And I would just like to add that I
18 appropriately conferred credentials when I wasn't
19 supposed to, and so I've listed Mr. Mead as a PE,
20 and I just wanted to note for the record that
21 that's not the case.

22 And then finally, Mr. Brian Gaudet, who
23 is a project manager for All-Points as well. I
24 would ask that each witness be sworn in. Thank
25 you.

1 MR. MORISSETTE: Thank you, Attorney
2 Langer.

3 Attorney Bachman, please administer the
4 oath.

5 MS. BACHMAN: Thank you, Mr.
6 Morissette. Could the witnesses please raise
7 their right hand.

8 J O H N E. B A R R E T T,
9 C H U C K R E G U L B U T O,
10 D E A N G U S T A F S O N,
11 J A S O N R. M E A D,
12 B R I A N G A U D E T,

13 having been first duly sworn (remotely) by
14 Ms. Bachman, testified on their oaths as
15 follows:

16 MS. BACHMAN: Thank you.

17 MR. MORISSETTE: Thank you, Attorney
18 Bachman.

19 Attorney Langer, please begin by
20 verifying all exhibits by the appropriate sworn
21 witnesses.

22 DIRECT EXAMINATION

23 MR. LANGER: Thank you, Mr. Morissette.
24 So to expedite these preliminary matters, I'll
25 just ask the panel to respond collectively to the

1 foundational questions for the exhibits. And I'd
2 like to offer four exhibits for identification
3 which are identified as Exhibits Roman Numeral
4 II-B-1 through 4 on the hearing program. And I'm
5 going to ask the witness panel to each respond to
6 the following questions: Did you prepare or
7 supervise in the preparation of Exhibits II-B-1
8 through 4? Mr. Barrett.

9 THE WITNESS (Barrett): Yes.

10 MR. LANGER: Mr. Regulbuto.

11 THE WITNESS (Regulbuto): Yes.

12 MR. LANGER: Mr. Gustafson.

13 THE WITNESS (Gustafson): Yes.

14 MR. LANGER: Mr. Mead.

15 THE WITNESS (Mead): Yes.

16 MR. LANGER: Mr. Gaudet.

17 THE WITNESS (Gaudet): Yes.

18 MR. LANGER: And do any of you have
19 additions, clarifications or modifications to each
20 of these Exhibits II-B-1 through 4?

21 Mr. Barrett.

22 THE WITNESS (Barrett): No.

23 MR. LANGER: Mr. Regulbuto.

24 THE WITNESS (Regulbuto): No.

25 MR. LANGER: Mr. Gustafson.

1 THE WITNESS (Gustafson): No.

2 MR. LANGER: Mr. Mead.

3 THE WITNESS (Mead): Yes.

4 MR. LANGER: Could you please explain?

5 THE WITNESS (Mead): Absolutely. I'd
6 like to make some updates. The plans currently
7 indicate the lowest array at 101 feet. DISH
8 intends to collocate at a 91 foot elevation.

9 In addition to that, utilities,
10 alternative utility routes have been proposed and
11 are under review with UI. Electric and fiber
12 services will both now be installed underground.

13 And thirdly, the proposed tower hinge
14 point will be modified from approximately 20 feet
15 below the tower, top of the tower, at
16 approximately 15 feet. Thank you.

17 MR. LANGER: Thank you, Mr. Mead. And
18 are the Exhibits II-B-1 through 4, as clarified,
19 true and accurate to the best of your knowledge?

20 Mr. Barrett.

21 THE WITNESS (Barrett): Yes.

22 MR. LANGER: Mr. Regulbuto?

23 THE WITNESS (Regulbuto): Yes.

24 MR. LANGER: Mr. Gustafson.

25 THE WITNESS (Gustafson): Yes.

1 MR. LANGER: Mr. Mead.

2 THE WITNESS (Mead): Yes.

3 MR. LANGER: Mr. Gaudet.

4 THE WITNESS (Gaudet): Yes.

5 MR. LANGER: And do each of you adopt
6 the information contained in these Exhibits II-B-1
7 through 4, as clarified, as your testimony here
8 today?

9 Mr. Barrett.

10 THE WITNESS (Barrett): Yes.

11 MR. LANGER: Mr. Regulbuto.

12 THE WITNESS (Regulbuto): Yes.

13 MR. LANGER: Mr. Gustafson.

14 THE WITNESS (Gustafson): Yes.

15 MR. LANGER: Mr. Mead.

16 THE WITNESS (Mead): Yes.

17 MR. LANGER: Mr. Gaudet.

18 THE WITNESS (Gaudet): Yes.

19 MR. LANGER: Thank you. Mr.

20 Morissette, I offer these exhibits and again
21 referenced in the hearing program II-B-1 through
22 4, as clarified, as full exhibits, and I offer the
23 witness panel for examination by the Council.

24 MR. MORISSETTE: Thank you, Attorney
25 Langer.

1 Does any party or intervenor object to
2 the admission of the applicant's exhibits?

3 Attorney Patrick.

4 MR. PATRICK: No objection,
5 Mr. Morissette.

6 MR. MORISSETTE: Thank you. Attorney
7 Baldwin.

8 MR. BALDWIN: No objection.

9 MR. MORISSETTE: Thank you. Attorney
10 Regan.

11 MR. REGAN: No objection.

12 MR. MORISSETTE: Thank you. The
13 exhibits are hereby admitted.

14 (Applicant's Exhibits II-B-1 through
15 II-B-4: Received in evidence - described in
16 index.)

17 MR. MORISSETTE: We'll now begin with
18 cross-examination of the applicant by the Council
19 starting with Mrs. Walsh and followed by Mr.
20 Silvestri.

21 Mrs. Walsh.

22 CROSS-EXAMINATION

23 MS. WALSH: Thank you, Mr. Morissette.
24 Turning to the response to Council Interrogatory
25 No. 3, it's regarding the costs broken down, and

1 there's a note that the utility installation
2 prices have changed. And I heard you mention a
3 change to possibly undergrounding utilities, and
4 I'm wondering if that is the only change in the
5 cost for utility routes.

6 MR. LANGER: Mr. Barrett, would you
7 like to respond to that, please?

8 THE WITNESS (Barrett): Yes. Because
9 the UI line was always underground, it's only a
10 marginal change in that cost. And we're going to
11 share the trench with the fiber. So, if anything,
12 we save a little money going that way. Those are
13 the primary changes. Of course, the copper market
14 it fluctuating, so there's always that to deal
15 with.

16 MS. WALSH: Okay. Thank you. And are
17 the decommissioning costs of the non-tower antenna
18 array included in the estimated project costs?

19 THE WITNESS (Barrett): No, they're set
20 aside actually within the easement agreement with
21 the owner, the property owner, being as the
22 property owner now owns that location.

23 MS. WALSH: Regarding the response to
24 Interrogatory No. 4, this interrogatory discusses
25 the decommissioning of the billboard after

1 T-Mobile's lease expires. Has that applicant had
2 any discussion with T-Mobile regarding the
3 potential collocation of T-Mobile at the proposed
4 tower facility?

5 THE WITNESS (Barrett): Yes. We heard
6 from them about one month ago. They gave us
7 official notice that they wanted to move over with
8 us.

9 MS. WALSH: And at what height would
10 T-Mobile be located?

11 THE WITNESS (Barrett): Let's see, I'm
12 going to refer to Mr. Mead.

13 THE WITNESS (Mead): Thank you, John.
14 Referring back to the exhibits, the spot that we
15 have available at the moment is 111. That's shown
16 on drawing C-2.

17 MS. WALSH: Okay. Thank you. And
18 what's planned for the area where the billboard is
19 currently located after it's removed?

20 THE WITNESS (Barrett): The developer
21 is going to put a Starbucks there.

22 MS. WALSH: Okay. Referring to the
23 response to Interrogatory No. 6 regarding the
24 safety zone clearances, on the site plan, sheet
25 C-2, it states there's a 25-foot safety zone

1 required from the outside rail to the platform.
2 And the interrogatory response states that Barrett
3 is consulting with Metro-North regarding the safe
4 distance from the railroad to the equipment
5 platform. Why is the further consultation
6 necessary?

7 THE WITNESS (Barrett): Because we're
8 actually looking at two different things, the
9 distance from the live energized powerlines versus
10 the track. And all of our questions before were
11 answered from the contractor's manual for working.
12 And we wanted to verify that the working distance
13 was the same as the safety distance from permanent
14 structures.

15 MS. WALSH: Okay. And that
16 consultation is ongoing?

17 THE WITNESS (Barrett): Yes, it is.
18 Actually, I'm waiting for an answer from
19 Connecticut DOT where it's been kicked over. They
20 may even answer while we're having this meeting.

21 MS. WALSH: Okay. And what is the
22 distance from the edge of the railroad to the
23 right-of-way -- railroad right-of-way to the
24 platform?

25 THE WITNESS (Barrett): I'll defer

1 again to Jason Mead.

2 THE WITNESS (Mead): Sorry, could you
3 repeat the question again, please?

4 MS. WALSH: What is the distance from
5 the edge of the railroad right-of-way to the
6 platform?

7 THE WITNESS (Mead): I don't have that
8 information on the plans currently. What I can
9 tell you is that we have 30 feet from the outside
10 track to the edge of the telecommunications
11 easement.

12 MS. WALSH: And was this the distance
13 that was discussed with Metro-North?

14 THE WITNESS (Barrett): Yes, it was.

15 MS. WALSH: Okay. Regarding the
16 response to Interrogatory No. 8, this is referring
17 to a tower yield point. Do the plans specify a
18 yield point on the tower?

19 THE WITNESS (Mead): Jason Mead. No,
20 they do not currently. The yield point will most
21 likely make its way into the D&M set once we've
22 procured a tower design subject to approval.

23 MS. WALSH: And where would you expect
24 that yield point to be?

25 THE WITNESS (Mead): The overall tower

1 height is shown at 135. So we'd be looking at 15
2 feet below the top, i.e., 120 foot elevation.

3 MS. WALSH: Okay. And what is the
4 yield point based on, is it property, distance to
5 the property lines or the powerlines or railroad?

6 THE WITNESS (Mead): Jason Mead. In
7 this particular case that is driven by the edge of
8 the UI easement which actually overlaps the
9 property line. So the UI easement controls in
10 this particular instance.

11 MS. WALSH: And also in the
12 interrogatory response it states a second tower
13 yield point would be designed on the tower if a
14 20-foot extension were installed. And where would
15 that yield point be?

16 THE WITNESS (Mead): Jason Mead. That
17 is yet to be determined. What we do know is that
18 we can effectively engineer a second yield point
19 should a future extension be required.

20 THE WITNESS (Barrett): I just want to
21 add that we really don't expect that addition.
22 Since we started this, we now have all four of the
23 major carriers coming on board without using that
24 section.

25 MS. WALSH: Okay. Has there been any

1 further outreach with the town or emergency
2 response entities such as Red Cross regarding use
3 of the tower for emergency communications?

4 THE WITNESS (Barrett): Well, it just
5 so happens that I am the person that provides
6 communications for the Red Cross in that area, and
7 no, there is no need at this time. And when it
8 comes to the locals, I spoke with actually the
9 chief of communications for Stratford Fire
10 Department, and he confirmed that he has nothing
11 that would help him on that location.

12 MS. WALSH: Okay. And regarding the
13 design of the facility, the Connecticut State
14 Building Code was updated effective October 1,
15 2022. What changes to the building code would
16 affect the design of this facility?

17 THE WITNESS (Mead): Jason Mead. The
18 code references that have been noted so far to
19 date will be updated and taken into account,
20 obviously, the recent change in the state code and
21 the references to the TIA standard. So the design
22 will be obviously put together at that point and
23 submitted in accordance with the local codes, the
24 latest standards.

25 MS. WALSH: Have you had a chance to

1 look at it at all to determine any design changes
2 that would be required at this point?

3 THE WITNESS (Mead): Yes, I have. I
4 did take a look at the latest submission last
5 week, and there has been some changes in the wind
6 speeds, local wind speeds. I think now the annex
7 has changed. But I believe there has been a drop
8 in wind speed design based on new information, and
9 it is now falling more in accordance with ASCE
10 7-16.

11 MS. WALSH: Okay. And is there a
12 security plan for the compound area such as an
13 alarm or cameras to be installed at the compound?

14 THE WITNESS (Barrett): Not at this
15 time. It has been contemplated. And part of that
16 is working with the carriers for access going
17 through, how we're going to make that work, but
18 the intent is to have a security system of some
19 sort there.

20 MS. WALSH: Okay. Thank you. I have
21 no further questions for Barrett Communications.

22 MR. MORISSETTE: Thank you, Mrs. Walsh.
23 We'll now continue with cross-examination of the
24 application by Mr. Silvestri followed by
25 Mrs. Cooley.

1 Mr. Silvestri.

2 MR. SILVESTRI: Thank you, Mr.
3 Morissette. And good afternoon, everyone.

4 Mr. Mead, I'd like to start with you,
5 Mr. Mead, going back to drawing C-2, if you will.

6 THE WITNESS (Mead): Yes.

7 MR. SILVESTRI: I want to make sure I
8 have the antenna locations correctly. And what I
9 surmise is that AT&T would be at 135 feet; is that
10 correct?

11 THE WITNESS (Mead): That's correct,
12 sir, yes.

13 MR. SILVESTRI: Verizon at 121?

14 THE WITNESS (Mead): That is correct,
15 yes.

16 MR. SILVESTRI: Then you mentioned
17 T-Mobile, I guess, would be at 111?

18 THE WITNESS (Mead): Tentatively, yes.

19 MR. SILVESTRI: Okay. Understood. And
20 then you made the change for DISH, instead of 101
21 it would be 91; is that correct?

22 THE WITNESS (Mead): That is correct.

23 MR. SILVESTRI: Very good. Thank you.
24 Also, I think this question would be for you as
25 well, when you look at the September 22, 2022

1 responses to the first set of interrogatories,
2 again, going back to Question No. 8, it talks
3 about the second hinge point that would be
4 designed for the extension. Now, I understand
5 fully how one hinge point would work on a tower.
6 How does the second hinge point work, could you
7 explain that to me?

8 THE WITNESS (Mead): Yes, I'll do my
9 best. Again, Jason Mead speaking. We recently
10 ran into this situation with another site, my
11 first time coming across the need to do this.
12 It's not an easy task. It can, from what I
13 understand from the tower manufacturer it can be
14 done. Typically what happens is they engineer a
15 yield point, thinking of this particular project,
16 in close proximity to the top of the tower, as we
17 mentioned, 15 feet from the top. And then from
18 what I understand, they rely on the flange plate
19 connection. So they overdesign the tower with the
20 lower section and then they essentially take
21 advantage of the flange connection for the second
22 yield point. As far as the actual mechanics
23 behind it, I would have to refer to a tower
24 manufacturer in order to relay that information
25 correctly.

1 MR. SILVESTRI: Let me try to mention
2 my confusion here. Say, for example, we have an
3 extremely strong wind, would the second hinge
4 point be the first to go?

5 THE WITNESS (Mead): Yes, the lower
6 section would be designed stronger, obviously, a
7 stiffer section than the upper section. So yes,
8 if you have the 20-foot section in place, the
9 upper hinge point would control.

10 MR. SILVESTRI: Understood. And that
11 would fall back probably onto the tower, correct?

12 THE WITNESS (Mead): As far as fallback
13 onto the tower, I'm sorry, I don't understand the
14 question.

15 MR. SILVESTRI: Well, let me try to
16 explain that one. If you have the second hinge
17 point on the extension, that's the first to go in
18 the event of a catastrophic wind storm. Would
19 that whole extension then fall back onto the
20 antenna arrays that are below it?

21 THE WITNESS (Mead): I would have to
22 get back to you on that question. Again, that's
23 more into the mechanics of the engineering with
24 regard to the tower manufacturers. Like I said,
25 we've only come across this once recently. So I

1 could provide additional information, if need be.

2 MR. SILVESTRI: Yeah, the curiosity
3 point I have is that if that second hinge point
4 does go, does it actually create more damage by
5 falling against all the antennas that are there
6 seeing that the first hinge point might stay
7 during this presumed catastrophic wind storm. I
8 think you understand where I'm coming from.

9 THE WITNESS (Mead): I do. I do.

10 MR. SILVESTRI: Okay. All right. Let
11 me move then to the application, and I'm looking
12 at drawing C-1. And I'm trying to understand the
13 purpose of the elevated platform. Why are some
14 pieces of equipment on the elevated platform and
15 some pieces of equipment on ground level?

16 THE WITNESS (Mead): So Jason Mead.
17 The purpose of the elevated platform was to
18 minimize the impact to the boat storage facility
19 and utilize the embankment, the railroad
20 embankment as much as possible. Obviously, real
21 estate was limited. So the design has been
22 optimized with the carrier base equipment shown in
23 designated spaces on the elevated platform and
24 with the remaining ancillary equipment, i.e.
25 generators, et cetera, dedicated to the space

1 remaining to the east.

2 MR. SILVESTRI: Now, is there more of a
3 security concern because you would have to protect
4 two areas now, you'd have to protect the elevated
5 platform and you'd have to protect anything that's
6 on ground level?

7 THE WITNESS (Mead): The design is
8 encompassed with a secure fence around the
9 periphery so it will be nonaccessible.

10 MR. SILVESTRI: Okay. Then there are
11 some different issues with proposed carriers as
12 far as generators go. And right now we have an
13 AT&T generator proposed for ground level. Would
14 there be space either on the ground or on the
15 platform should the other carriers opt to have a
16 standby generator?

17 THE WITNESS (Mead): Jason Mead. We
18 have actually looked at this. And as it stands
19 right now, we do have sufficient space within the,
20 if I may refer to, again, drawing C-1, the eastern
21 portion of the compound where you'll see the AT&T
22 generator placement. There is enough residual
23 space to place conventional diesel generators.
24 There's also a 16-foot future bay shown at the
25 eastern end of the elevated platform that could,

1 if need be, support a generator.

2 MR. SILVESTRI: Understood. Just one
3 more clarification. Again, right now the tower is
4 proposed for potentially four carriers. AT&T's
5 generator would be one. Is there room for three
6 more?

7 THE WITNESS (Mead): Yes.

8 MR. SILVESTRI: Very good. Thank you.
9 And let me just check my notes. I believe that's
10 all the questions I have for the applicant at this
11 point, Mr. Morissette, and I thank you.

12 MR. MORISSETTE: Thank you, Mr.
13 Silvestri. Just one comment. The information on
14 the hinge point that you requested, hopefully it's
15 possible to get an answer to that during our break
16 to have the response after our break.

17 Attorney Langer, do you think that's
18 possible?

19 MR. LANGER: We'll endeavor to do so,
20 Mr. Morissette.

21 MR. MORISSETTE: Very good. Thank you.
22 We'll now continue with
23 cross-examination of the applicant by Mrs. Cooley
24 followed by Mr. Quinlan.

25 Mrs. Cooley.

1 MRS. COOLEY: Good afternoon, Mr.
2 Morissette. Between Mrs. Walsh and Mr. Silvestri,
3 I think all of my questions have been answered.
4 Thank you.

5 MR. MORISSETTE: Thank you, Mrs.
6 Cooley. We'll now continue with cross-examination
7 by Mr. Quinlan followed by Mr. Golembiewski.

8 Mr. Quinlan.

9 MR. QUINLAN: Yes. I would just like
10 to ask the applicant to submit a copy of the
11 letter from the Federal Aviation Administration
12 when they conclude their evaluation of the site.

13 MR. MORISSETTE: Attorney Langer, I
14 believe that's been submitted. Could you clarify
15 that?

16 MR. LANGER: That's my understanding.
17 We provided the update and approval in response to
18 the interrogatories, if that's what you're looking
19 for, Mr. Quinlan.

20 MR. QUINLAN: Yeah. I saw the original
21 letter but I didn't see the update. Okay. Thank
22 you then.

23 MR. LANGER: You're quite welcome.

24 MR. MORISSETTE: Anything else, Mr.
25 Quinlan?

1 MR. QUINLAN: That's all my questions.
2 Thank you.

3 MR. MORISSETTE: Very good. Thank you.
4 We'll now continue with Mr. Golembiewski.

5 Mr. Golembiewski.

6 MR. GOLEMBIEWSKI: Thank you, Mr.
7 Morissette.

8 I think my initial questions would be
9 for Mr. Gustafson. I wanted to discuss the
10 Coastal Consistency Review that was done, I guess,
11 associated with the original Petition 1467. I
12 just wanted to confirm that this property extends
13 all the way to the Housatonic River or is it a
14 separate landlocked property?

15 THE WITNESS (Gustafson): My
16 understanding is the subject property extends to
17 the Housatonic River edge or bank.

18 MR. GOLEMBIEWSKI: Okay. And then you
19 identified not inland wetlands but title wetlands;
20 is that correct?

21 THE WITNESS (Gustafson): That is
22 correct.

23 MR. GOLEMBIEWSKI: Okay. And those all
24 are associated with the Housatonic River?

25 THE WITNESS (Gustafson): That's

1 correct. Our delineation located along the
2 western banks of the Housatonic River underneath
3 I-95, that boundary represents essentially the
4 ordinary high water mark, and within that the
5 resource, coastal resources include both some
6 fringe tidal wetlands and tidal flat resources.

7 MR. GOLEMBIEWSKI: Okay. And I know
8 the closest, based on the drawings, the closest
9 work would be associated with the utility
10 connection, is that still the case?

11 THE WITNESS (Gustafson): That's a
12 great question. With the revised underground
13 utility routing that's being contemplated, the
14 nearest activities would actually be the eastern
15 end of the proposed tower facility and elevated
16 compound, and that would be more than 300 feet
17 west of the nearest tidal wetland area.

18 MR. GOLEMBIEWSKI: Okay.

19 THE WITNESS (Gustafson): That area,
20 that was where we had a utility interconnection
21 that was originally about 40 feet away, it looks
22 like that with this alternate underground route
23 that would no longer be proposed.

24 MR. GOLEMBIEWSKI: Okay. So your
25 opinion then, I know in the original Coastal

1 Consistency Review you confirmed that there would
2 be no impacts to coastal resources or adverse
3 impacts, is that still your opinion?

4 THE WITNESS (Gustafson): That is, yes.
5 With any of the minor revisions to this project,
6 that would still be my opinion that there would be
7 no adverse effect to coastal resources.

8 MR. GOLEMBIEWSKI: Okay. I looked at
9 one of the most recent exhibits and there were
10 some photos of the proposed site. And I did
11 notice that there were some boat storage, boats
12 being stored in that area. Do you know what a
13 water dependent use is?

14 THE WITNESS (Gustafson): Yes.

15 MR. GOLEMBIEWSKI: Okay.

16 THE WITNESS (Gustafson): So there is a
17 marina on the, at least on or adjacent to the
18 subject property, and that would be considered a
19 water dependent use.

20 MR. GOLEMBIEWSKI: So replacing a
21 current boat storage area with a cell tower site,
22 wouldn't that be replacing an existing water
23 dependent use with a non-water dependent use?

24 THE WITNESS (Gustafson): So, as Mr.
25 Mead had indicated during one of his responses,

1 the reason, one of the principal reasons for
2 proposing the elevated platform would be to
3 minimize the boat storage area. So we don't think
4 the facility will have an adverse effect to water
5 dependent uses associated with the subject
6 property.

7 MR. GOLEMBIEWSKI: Okay. So by making
8 that statement, there still is sufficient area to
9 do the same essentially level of boat storage and
10 maintenance and repair as pre and post cell tower?

11 THE WITNESS (Gustafson): That's
12 correct.

13 MR. GOLEMBIEWSKI: So you're saying
14 there's no adverse impact to water dependency at
15 the site because of that?

16 THE WITNESS (Gustafson): Exactly.

17 MR. GOLEMBIEWSKI: Okay. All right. I
18 don't know, who should I ask questions regarding
19 visibility?

20 MR. LANGER: Mr. Gaudet.

21 MR. GOLEMBIEWSKI: Okay. So as I look
22 at the visibility study, there would be
23 year-round, I guess, visibility to the Charles E.
24 Wheeler Wildlife Area which is pretty much
25 south-southeast of the site. How would you

1 characterize, even though it's year-round, how
2 would you characterize it from, I guess, what
3 would they see and how different would it look pre
4 and post installation?

5 THE WITNESS (Gaudet): Yeah, it's going
6 to be visible there. There's so much existing
7 infrastructure in that area between the
8 transmission lines, the I-95 corridor, the
9 overpass for the UI lines over the river that the
10 facility is really going to blend in pretty well.
11 So you'll see it really above the I-95 overpass.

12 MR. GOLEMBIEWSKI: Okay. So someone in
13 that area recreating or kayaking or whatever
14 really won't see much difference with the tower?

15 THE WITNESS (Gaudet): Yes. I'll point
16 you to in the visibility analysis photo sim number
17 36, is I think somewhat representative of the
18 wildlife area, same distance, at least, if you
19 were in the, truly within the bounds of the
20 wildlife area.

21 MR. GOLEMBIEWSKI: Okay.

22 THE WITNESS (Gaudet): It really blends
23 in with what's there today. And then both the
24 views, so you're going up the Housatonic, photo 19
25 again sort of gives you that shot from the western

1 shoreline there. It's really in line with that
2 existing, for the most part, the UI infrastructure
3 there blends in pretty well.

4 MR. GOLEMBIEWSKI: Okay. How about
5 from the Housatonic River state boat launch on the
6 Milford side, I guess those are photos 22, 23,
7 that's even sort of an obstructed view, like the
8 view I would get at Fenway Park if I went to a
9 game.

10 THE WITNESS (Gaudet): Actually, those
11 can be pretty brutal to look through those boats.

12 MR. GOLEMBIEWSKI: Okay.

13 THE WITNESS (Gaudet): So photo 23,
14 you're going to see the bottom portion of the
15 tower. The top portion is going to be obstructed
16 by 95, obviously, with the highway running right
17 over it. Again, as you launch your boat and sort
18 of move south into the river, it will open up some
19 views. Again, you'll be able to see the base of
20 the tower, and obviously as you move further south
21 you'll start to see the top of it peek above 95.

22 MR. GOLEMBIEWSKI: Okay. And then I
23 know it doesn't have visibility shown on the
24 study, but I was just wondering. Silver Sands
25 State Park, which is pretty far, the far eastern I

1 guess if you want to say extent of the circle, the
2 area, what would you characterize, they would have
3 no view of it or --

4 THE WITNESS (Gaudet): The visibility
5 there is nonexistent. Assuming that we're looking
6 at that same area, it's really sort of off the map
7 to the --

8 MR. GOLEMBIEWSKI: Correct, yeah, it's
9 just an extension of the beaches.

10 THE WITNESS (Gaudet): Yeah, there's no
11 expected visibility out that far. I think if
12 there were to be any beyond the study area, we
13 would probably see pockets of that, you know, some
14 sort of visibility, whether it be year-round or
15 seasonal, intervening between the proposed site
16 and edge of the study area in that location.

17 MR. GOLEMBIEWSKI: Okay. Thank you
18 very much. Thank you, Mr. Morissette. That is
19 all my questions.

20 MR. MORISSETTE: Thank you, Mr.
21 Golembiewski.

22 I have a couple of questions. The
23 first one is relating to drawing C-2. In the
24 original petition the drawing reflected that the
25 transmission structure was going to be relocated

1 closer to the railroad track. Is the current
2 design -- first of all, has that structure been
3 moved and does the current design reflect the new
4 position of the structure?

5 THE WITNESS (Mead): Thank you. Jason
6 Mead. Yes, to answer your question, yes, the
7 plans have been updated to reflect the as-built
8 locations of the new UI pole structures.

9 MR. MORISSETTE: So the pole has been
10 moved already?

11 THE WITNESS (Mead): Correct.

12 MR. MORISSETTE: Very good. Thank you.
13 My second question is relating to the Connecticut
14 Airport Authority's letter dated to the Council
15 August 26, 2022. And I believe what they are
16 requesting is that although the application to the
17 FAA evaluation has been submitted and provided by
18 the FAA, they were asking whether it included the
19 5G C-band infrastructure impact on air traffic at
20 Sikorsky Memorial Airport. Do you know if the FAA
21 had considered that in their analysis?

22 MR. LANGER: Mr. Gaudet, do you think
23 you could respond to that at least from a general
24 standpoint?

25 THE WITNESS (Gaudet): Yeah, so the FAA

1 has a list of sites, airports where the 5G
2 spectrum C-band's impacts are located. The
3 nearest one to this site on their website, on the
4 FAA website is Westchester County Airport. The
5 closest one in Connecticut is Bradley. Sikorsky
6 does not show up on that, so I can't speak to
7 whether they evaluate that in their criteria, but
8 knowing what's on their website and what's
9 available to us as the public to review, there was
10 no reason to look at Sikorsky separately.

11 MR. MORISSETTE: They didn't explicitly
12 indicate that they looked at it, but based on your
13 review of the best available information, it's not
14 required?

15 THE WITNESS (Gaudet): I would agree
16 with that.

17 MR. MORISSETTE: Okay. Thank you. My
18 last final question, where the structures are
19 going to be -- not the structures, the cabinets,
20 excuse me, I'm having a hard time here, where the
21 cabinets are going to be on the platform, and they
22 are going to be kind of open air within the
23 platform, is there any need to enclose the
24 platform or is it going to continue to be open?

25 THE WITNESS (Mead): Jason Mead. I can

1 answer that question. The equipment platform has
2 been designed in such a way schematically that it
3 envisages the use of a protective ice canopy over
4 the top with including a metal deck. So the
5 cabinets will be protected from direct elements
6 related to rain and ice. However, the equipment
7 itself will all be outdoor equipment cabinets,
8 similar to an normal tower site, so each of the
9 cabinets will be deploying outdoor equipment.

10 MR. MORISSETTE: Thank you. So the
11 cabinets are similar to the cabinets you would use
12 on a normal site that would be established on the
13 ground level, you're just elevating them into the
14 air on the platform?

15 THE WITNESS (Mead): That is correct,
16 and probably all NEMA 3R rated for weather
17 exposure.

18 MR. MORISSETTE: Great. Thank you.
19 That concludes my cross-examination. Thank you,
20 everyone.

21 We'll now continue with
22 cross-examination of the applicant by Dish
23 Wireless.

24 MR. GOLEMBIEWSKI: Mr. Morissette,
25 could I ask one more question?

1 MR. MORISSETTE: Certainly. Go right
2 ahead, Mr. Golembiewski.

3 MR. GOLEMBIEWSKI: It would be of
4 Mr. Gustafson. I look at the proposed access, and
5 I guess if you want to call it an access road or
6 path, and then, you know, the development of the
7 site. Is there any need to do any upgrades or
8 modifications to any existing stormwater features?

9 THE WITNESS (Gustafson): I think that
10 question is probably better suited to Jason Mead.

11 MR. GOLEMBIEWSKI: Okay.

12 THE WITNESS (Mead): Jason Mead. On
13 the proposal that we put forward, no.

14 MR. GOLEMBIEWSKI: So the D&M plan will
15 have no additional stormwater features on it,
16 catch basins, culvert?

17 THE WITNESS (Mead): That's correct.

18 MR. GOLEMBIEWSKI: Okay. Thank you.

19 MR. MORISSETTE: Thank you, Mr.
20 Golembiewski. We have another question from Mr.
21 Silvestri.

22 Mr. Silvestri.

23 MR. SILVESTRI: Thank you, Mr.
24 Morissette. This just popped into my head when
25 Mr. Mead was talking about metal, the ice bridge,

1 et cetera, and I have to pose it at least to put
2 my mind at ease. So we're having all the metal
3 for the proposed cell tower and the cell tower
4 itself pretty much adjacent to the transmission
5 lines. Is there any concern with stray current,
6 if you will, coming from the transmission lines
7 that could cause a hazard with all the metal
8 that's involved with the proposed cell tower?

9 THE WITNESS (Mead): Thank you. I'll
10 try to answer that question as best I can. The
11 proposed facility will have its own exterior
12 rendering similar to any tower site that will be
13 isolated, well, to protect it from a lightning
14 strike of course.

15 THE WITNESS (Gaudet): I think it's
16 similar to -- Brian Gaudet with All-Points. I
17 think it's similar to sites around the state where
18 you have either standalone monopoles going up
19 through transmission structures or attachments
20 onto other transmission lines. So I think the
21 equipment itself is grounded and the carriers
22 could probably speak to it better, but seemingly
23 has no impact to either transmission function or
24 the RF transmission function for the carriers'
25 output.

1 MR. SILVESTRI: Again, I was more
2 interested in the safety aspect for anybody that
3 might be on the platform doing maintenance work or
4 whatever it may be.

5 THE WITNESS (Gaudet): I think the
6 clearances here, you know, as far as what the OSHA
7 requirements are for clearances for worker safety
8 from transmission lines will all be met based on
9 the positioning of the tower from the transmission
10 lines.

11 MR. SILVESTRI: Very good. Thank you,
12 both.

13 And Mr. Morissette, thank you as well.

14 MR. MORISSETTE: Thank you, Mr.
15 Silvestri. I'll just quickly go through the
16 Council and Mrs. Walsh to see if there are any
17 follow-up questions before we move on.

18 Ms. Walsh, any follow-up questions?

19 MS. WALSH: Nothing further. Thank
20 you.

21 MR. MORISSETTE: Thank you. Mrs.
22 Cooley?

23 MRS. COOLEY: Nothing further from me
24 either. Thank you.

25 MR. MORISSETTE: Thank you. Mr.

1 Quinlan?

2 MR. QUINLAN: No followup. Thank you.

3 MR. MORISSETTE: Very good. Thank you.

4 Okay. We'll now continue with cross-examination
5 of the applicant by Dish Wireless, Attorney
6 Patrick.

7 MR. PATRICK: No cross-examination from
8 Dish.

9 MR. MORISSETTE: Thank you, Attorney
10 Patrick. We'll now continue with
11 cross-examination of the applicant by Verizon
12 Wireless, Attorney Baldwin.

13 MR. BALDWIN: Just a quick question,
14 Mr. Morissette, I guess for Mr. Mead.

15 Mr. Mead, I think you testified that in
16 your opinion there was adequate room within the
17 facility compound for additional generators; is
18 that correct?

19 THE WITNESS (Mead): Jason Mead. Yes,
20 that is correct based on the use of diesel
21 generators, yes.

22 MR. BALDWIN: You anticipated my next
23 question. Is there adequate room or would you
24 have to investigate it further, is there adequate
25 room for a propane fuel tank if that was needed?

1 THE WITNESS (Mead): Jason Mead. Yes,
2 that would need to be investigated further.

3 MR. BALDWIN: Okay. Thank you. Thank
4 you, Mr. Morissette.

5 MR. MORISSETTE: Thank you, Attorney
6 Baldwin. We'll now continue with
7 cross-examination by Attorney Regan.

8 MR. REGAN: No questions, Mr.
9 Morissette.

10 MR. MORISSETTE: Very good. Mr.
11 Barrett, you had something to add?

12 THE WITNESS (Barrett): Yes. That
13 would be to Mrs. Walsh's question regarding the
14 distance from the powerlines. I just received an
15 email from Kevin Waugh at the Connecticut DOT
16 Office of Rail. He said that we meet the -- let's
17 see, it says here they generally follow the AREMA
18 standards for clearances. There is no set
19 clearance distance. It changes based on the site
20 and structures. I can't share the AREMA manual
21 under license, but I did attach the older version
22 of the Metro-North clearances. I can't be sure if
23 this is completely up to date at the moment, but
24 the 32-foot clearance at the site should be
25 enough.

1 MR. MORISSETTE: Very good. Thank you,
2 Mr. Barrett.

3 Mrs. Walsh, do you have any follow-up
4 questions on that response?

5 MS. WALSH: No, thank you.

6 MR. MORISSETTE: Very good. Thank you.
7 We'll now continue with the appearance by Dish
8 Wireless, LLC. Will the party present its witness
9 panel for the purpose of taking the oath and
10 Attorney Bachman will administer the oath.

11 MR. PATRICK: Thank you very much, Mr.
12 Morissette. For the record, my name is Daniel
13 Patrick from the law firm Cuddy & Feder. I am
14 joined today with my corepresentative for DISH,
15 Kristin Motel, not Chris Fisher as indicated in
16 the hearing program.

17 For the witness panel we are joined
18 today by Pawan Madahar, a radio frequency engineer
19 for Dish Wireless, LLC; Austin Pappas, the senior
20 site acquisition specialist and project manager of
21 Dish Wireless, LLC; and Michael Jones, the
22 president of M&K Development who is joining us via
23 separate Zoom.

24 MR. MORISSETTE: Thank you. Attorney
25 Patrick. Attorney Bachman, will you administer

1 the oath, please.

2 MS. BACHMAN: Thank you, Mr.
3 Morissette. Would all the witnesses please raise
4 your right hand.

5 P A W A N M A D A H A R,
6 A U S T I N P A P P A S,
7 M I C H A E L J O N E S,

8 having been first duly sworn (remotely) by
9 Ms. Bachman, testified on their oaths as
10 follows:

11 MS. BACHMAN: Thank you.

12 MR. MORISSETTE: Thank you, Attorney
13 Bachman.

14 Attorney Patrick, please begin by
15 verifying all the exhibits by the appropriate
16 sworn witnesses.

17 DIRECT EXAMINATION

18 MR. PATRICK: Yes. So I would like to
19 offer the exhibits identified as III-B-1 and 2 in
20 the hearing program. And for verification
21 purposes I'll ask our witnesses to respond yes or
22 no to the following questions: Did you prepare or
23 assist in the preparation of the exhibits
24 identified? Pawan Madahar.

25 THE WITNESS (Madahar): Pawan Madahar.

1 Yes.

2 MR. PATRICK: Austin Pappas.

3 THE WITNESS (Pappas): Austin. Yes.

4 MR. PATRICK: Michael Jones.

5 THE WITNESS (Jones): Yes.

6 MR. PATRICK: Do you have any updates
7 or corrections to the identified exhibits? Pawan
8 Madahar.

9 THE WITNESS (Madahar): Pawan Madahar.

10 No.

11 MR. PATRICK: Austin Pappas.

12 THE WITNESS (Pappas): Austin. No.

13 MR. PATRICK: Michael Jones.

14 THE WITNESS (Jones): No.

15 MR. PATRICK: Is the information
16 contained in the identified exhibits true and
17 accurate to the best of your belief? Pawan
18 Madahar.

19 THE WITNESS (Madahar): Pawan Madahar.

20 No.

21 MR. PATRICK: Austin Pappas.

22 THE WITNESS (Pappas): Austin. Yes.

23 MR. PATRICK: Michael Jones.

24 THE WITNESS (Jones): Yes.

25 MR. PATRICK: Pawan, can I ask --

1 THE WITNESS (Madahar): Can you please
2 repeat the question?

3 MR. PATRICK: Is the information
4 contained in the identified exhibits true and
5 accurate to the best of your belief?

6 THE WITNESS (Madahar): Yes.

7 MR. PATRICK: Pawan Madahar changes his
8 answer to "yes."

9 Do you adopt these exhibits as your
10 testimony? Pawan Madahar.

11 THE WITNESS (Madahar): Pawan Madahar.
12 Yes.

13 MR. PATRICK: Austin Pappas.

14 THE WITNESS (Pappas): Austin. Yes.

15 MR. PATRICK: Michael Jones.

16 THE WITNESS (Jones): Yes.

17 MR. PATRICK: Mr. Morissette, we offer
18 these witnesses and the exhibits for admission and
19 cross-examination.

20 MR. MORISSETTE: Thank you, Attorney
21 Patrick. Does any party or intervenor object to
22 the admission of Dish Wireless, LLC's exhibits?
23 Attorney Langer.

24 MR. LANGER: No objection from the
25 applicant. Thank you.

1 MR. MORISSETTE: Thank you. Attorney
2 Baldwin.

3 MR. BALDWIN: No objection,
4 Mr. Morisette.

5 MR. MORISSETTE: Thank you. Attorney
6 Regan.

7 MR. REGAN: No objection, Mr.
8 Morisette.

9 MR. MORISSETTE: Thank you. The
10 exhibits are hereby admitted.

11 (Intervenor Dish Wireless, LLC Exhibits
12 III-B-1 and III-B-2: Received in evidence -
13 described in index.)

14 MR. MORISSETTE: We'll now continue
15 with cross-examination of Dish Wireless by the
16 Council starting with Mrs. Walsh followed by
17 Mr. Silvestri.

18 Mrs. Walsh.

19 CROSS-EXAMINATION

20 MS. WALSH: Thank you. Referring to
21 the Council interrogatory response number 8, DISH
22 gives three frequency ranges. How do these ranges
23 interact in DISH's network, is there handoff
24 between the frequencies for the user or once
25 contact is made in one frequency the user stays in

1 that one frequency?

2 THE WITNESS (Madahar): DISH license
3 from the FCC for the AWS and 600 megahertz bands.
4 So these consist separately 600 megahertz is low
5 band coverage and the AWS is mid band. So we are
6 using this mid band for throughput and 600
7 megahertz is coverage.

8 MS. WALSH: I'm sorry, you use 600
9 megahertz for, what was that?

10 THE WITNESS (Madahar): For the
11 coverage we have carrier aggregation with the AWS
12 band to have high throughput.

13 MS. WALSH: And the other two frequency
14 ranges, are those both considered the AWS range,
15 the mid band range?

16 THE WITNESS (Madahar): Yes.

17 MS. WALSH: Okay. And the signal
18 strength that you design to is higher for the mid
19 band range than the low band range; is that
20 correct?

21 THE WITNESS (Madahar): That's correct.

22 MS. WALSH: Referring to the
23 propagation plots in your responses to
24 interrogatories, there's a site that's labeled
25 1135B that's to the southwest of the proposed

1 site. Is that site currently in operation?

2 THE WITNESS (Madahar): No. And no
3 site in Connecticut is area (inaudible) --

4 MS. WALSH: So did you say it was not
5 in operation?

6 THE WITNESS (Madahar): Not in
7 operation.

8 MS. WALSH: Not in operation. And is
9 it currently being proposed?

10 THE WITNESS (Madahar): Yes.

11 MS. WALSH: What's the status of that
12 proposal?

13 THE WITNESS (Madahar): I have to
14 check. We can get the answers later.

15 MS. WALSH: Okay. And would DISH use
16 any alarms or any other type of security measures
17 for its own equipment cabinets?

18 THE WITNESS (Madahar): Maybe Austin
19 can answer that question.

20 THE WITNESS (Pappas): The one cabinet
21 that we have proposed will be locked
22 independently.

23 MS. WALSH: Okay. And I have nothing
24 further. Thank you.

25 MR. MORISSETTE: Thank you, Mrs. Walsh.

1 So we have one open question as to the proposed
2 status of the facility questioned by Mrs. Walsh.
3 If we could get a response to that question after
4 the break so we could have a clean record with no
5 open items. That would be very much appreciated.

6 MR. PATRICK: Yes, we're looking to get
7 that response before the end of the hearing.

8 MR. MORISSETTE: Very good. Thank you.
9 We'll now continue with cross-examination of Dish
10 Wireless by Mr. Silvestri followed by Mrs. Cooley.

11 Mr. Silvestri.

12 MR. SILVESTRI: Thank you, Mr.
13 Morissette. I'd like to reference the responses
14 of Dish Wireless to the prehearing interrogatories
15 dated September 23, 2022, in particular the
16 response to Question No. 14. And it states that
17 no back-up generator is proposed by DISH aside
18 from the battery backup. Why is DISH not
19 proposing a generator?

20 THE WITNESS (Pappas): Austin Pappas.
21 So we have a battery pack, battery backup that
22 will be placed there. It has a four-hour
23 capacity. It also has a charging port at some
24 point that we can use a mobile generator pull-in
25 to fill in that backfeed as needed.

1 MR. SILVESTRI: So if you have to pull
2 in a mobile generator, when would you actually
3 deploy it knowing that you only have a four-hour
4 battery life?

5 THE WITNESS (Pappas): It would be
6 dependant on what kind of disaster situation it
7 was in, but it could be pulled in on site
8 dependent, within the timeline of the staff that's
9 available. I'd have to get you an exact time for
10 our contractors.

11 MR. SILVESTRI: I'm curious about that
12 part as well as the spatial requirements for
13 pulling in something mobile. As it stands now,
14 and I'll also pose similar questions to
15 Cellco/Verizon, there's only one generator being
16 proposed and that's by AT&T. So if other carriers
17 have to bring in some type of mobile connection, I
18 don't know what type of space requirements are
19 going to be there to allow all the other carriers
20 to connect to whatever they have to support their
21 battery backup. I don't know if you can answer
22 what type of space requirements you would need to
23 bring in something mobile.

24 THE WITNESS (Pappas): I don't have
25 specific dimensions. I could get that for you

1 before the end of the hearing, but I don't have
2 specific dimensions on the model that we use.

3 MR. SILVESTRI: Again, what I'm trying
4 to prevent is some type of catastrophe that I've
5 been involved with in my area where cells go down
6 and there is no back-up power at all. So the last
7 question I'm going to pose to you, are you
8 amenable to installing a standby generator?

9 THE WITNESS (Pappas): It would be
10 something DISH would be open to. I'd have to
11 discuss it with partners, but it would be
12 something that we'd be open to discussing for
13 sure.

14 MR. SILVESTRI: All right. Thank you
15 for the response.

16 Mr. Morissette, that's all I have.
17 Thank you.

18 MR. MORISSETTE: Thank you, Mr.
19 Silvestri. We'll now continue with
20 cross-examination by Mrs. Cooley followed by Mr.
21 Quinlan.

22 Mrs. Cooley.

23 MRS. COOLEY: Thank you, Mr.
24 Morissette. My questions were also centered
25 around the question about why DISH has not

1 proposed a back-up generator. I think the Council
2 in many applications has questioned the need for
3 back-up generators and has shown that we would
4 prefer that as a backup. So I think that's
5 definitely something that DISH should consider. I
6 was happy to hear that that is something they're
7 amenable to. But other than than, I don't have
8 any further questions.

9 MR. MORISSETTE: Thank you,
10 Mrs. Cooley. We'll now continue with
11 cross-examination by Mr. Quinlan followed by Mr.
12 Golembiewski.

13 Mr. Quinlan.

14 MR. QUINLAN: I'd like to get a
15 response on that. So if you could get back to us
16 on what they're, if they're willing to do that and
17 have at least a three-day back-up power capacity.
18 That's what I would ask for.

19 THE WITNESS (Pappas): Absolutely, yes.
20 Understood.

21 MR. QUINLAN: Thank you. That's all my
22 questions.

23 MR. MORISSETTE: Very good. Thank you,
24 Mr. Quinlan. And let's see here, I have no
25 further questions beyond what's been asked

1 already.

2 So we have three open questions that
3 we'd like to have answered after the break, if
4 possible. One is the proposed site that Mrs.
5 Walsh asked about and it's what is the status of
6 the proposed site that she mentioned, is there
7 space, and how long would it take to get a mobile
8 generator asked by Mr. Silvestri, and to confirm
9 the willingness of installing a back-up generator
10 asked by Mr. Quinlan.

11 Very good. We will now continue with
12 cross-examination of DISH by the applicant,
13 Attorney Langer.

14 MR. LANGER: No cross-examination by
15 the applicant. Thank you.

16 MR. MORISSETTE: Very good. Thank you.
17 We'll continue with cross-examination by Attorney
18 Baldwin.

19 Attorney Baldwin.

20 MR. BALDWIN: I have no questions, Mr.
21 Morissette. Thank you.

22 MR. MORISSETTE: Thank you. We'll
23 continue cross-examination by Attorney Regan.

24 Attorney Regan?

25 MR. REGAN: No questions, Mr.

1 Morissette.

2 MR. MORISSETTE: Very good. Thank you,
3 everyone. We'll continue with the appearance of
4 Cellco Partnership d/b/a Verizon Wireless. Will
5 the party present its witness panel for the
6 purpose of taking the oath, and Attorney Bachman
7 will administer the oath.

8 MR. BALDWIN: Thank you, Mr.
9 Morissette. Again, Kenneth Baldwin with Robinson
10 & Cole on behalf of Cellco Partnership doing
11 business as Verizon Wireless as an intervenor in
12 this proceeding. Our witness panel consists of
13 Tony Befera, principal engineer, real
14 estate/regulatory with Verizon Wireless, and Shiva
15 Gadasu who's a radio frequency design engineer
16 with Verizon Wireless, and we offer them to be
17 sworn at this time.

18 MR. MORISSETTE: Thank you, Attorney
19 Baldwin.

20 Attorney Bachman, please administer the
21 oath.

22 MS. BACHMAN: Thank you, Mr.
23 Morissette. Will the witnesses please raise their
24 right hand.

25

1 S H I V A G A D A S U,

2 A N T H O N Y B E F E R A,

3 having been first duly sworn (remotely) by
4 Ms. Bachman, testified on their oaths as
5 follows:

6 MS. BACHMAN: Thank you.

7 MR. MORISSETTE: Thank you, Attorney
8 Bachman.

9 Please begin by verifying the exhibits
10 by the appropriate sworn witnesses. Attorney
11 Baldwin.

12 DIRECT EXAMINATION

13 MR. BALDWIN: We have two exhibits to
14 offer. They're listed in the hearing program
15 under Roman V [sic], Verizon's request to
16 intervene and, more importantly, the interrogatory
17 responses to the Council's questions, Set One,
18 dated September 21, 2022.

19 I'll ask my witnesses to verify those
20 exhibits. Did you prepare or assist in the
21 preparation of the responses to the
22 interrogatories identified as Exhibit 2 in the
23 hearing program? Mr. Gadasu.

24 THE WITNESS (Gadasu): Yes.

25 MR. BALDWIN: Mr. Befera.

1 THE WITNESS (Befera): Yes.

2 MR. BALDWIN: Do you have any
3 corrections, modifications or amendments to offer
4 to any of those responses? Ms. Gadasu.

5 THE WITNESS (Gadasu): Yes, I do. I
6 have a small correction to a response to
7 Interrogatory Question No. 11. The response
8 reads, The current 28 Sidney Street facility,
9 Alpha and Gamma Sectors pointing to the northeast
10 and northwest are in exhaust today. The
11 neighboring site to the west, Stratford West CT
12 Alpha Sector is also in exhaust. Cellco's
13 proposed facility -- this is a correction from
14 here. So Cellco's proposed relocated facility
15 with the additional sector will help eliminate
16 these existing capacity problems which are 700 and
17 850 megahertz. Thank you.

18 MR. BALDWIN: Mr. Befera, any
19 amendments or corrections?

20 THE WITNESS (Befera): No. Thank you.

21 MR. BALDWIN: And is the information
22 contained in those responses true and accurate to
23 the best of your knowledge? Mr. Gadasu.

24 THE WITNESS (Gadasu): Yes.

25 MR. BALDWIN: Mr. Befera.

1 THE WITNESS (Befera): Yes.

2 MR. BALDWIN: And do you adopt the
3 information contained in those responses as your
4 testimony in this proceeding? Mr. Gadasu.

5 THE WITNESS (Gadasu): Yes.

6 MR. BALDWIN: Mr. Befera.

7 THE WITNESS (Befera): Yes.

8 MR. BALDWIN: Mr. Morissette, I offer
9 them as full exhibits.

10 MR. MORISSETTE: Thank you, Attorney
11 Baldwin. Does any party or intervenor object to
12 the admission of Verizon Wireless's exhibits?
13 Attorney Langer.

14 MR. LANGER: No objection.

15 MR. MORISSETTE: Thank you. Attorney
16 Patrick.

17 MR. PATRICK: No objection. Thank you.

18 MR. MORISSETTE: Thank you. And
19 Attorney Regan.

20 MR. REGAN: Just for the record, I
21 think Mr. Baldwin meant Romans IV, not Romans V.

22 MR. MORISSETTE: Attorney Baldwin.

23 MR. BALDWIN: I thought I said Roman
24 IV. If I said Roman V, I stand corrected.

25 MR. MORISSETTE: Very good. Thank you.

1 And thank you, Attorney Regan. The exhibits are
2 hereby admitted.

3 (Intervenor Cellco Partnership d/b/a
4 Verizon Wireless Exhibits IV-B-1 and IV-B-2:
5 Received in evidence - described in index.)

6 MR. MORISSETTE: We'll now begin with
7 cross-examination of Verizon Wireless by the
8 Council starting with Mrs. Walsh followed by Mr.
9 Silvestri. Mrs. Walsh.

10 CROSS-EXAMINATION

11 MS. WALSH: Thank you, Mr. Morissette.

12 Regarding the response to Interrogatory
13 No. 11, and maybe I missed it in your correction,
14 it states that the capacity, the sites that are
15 nearby that are near exhaustion would benefit from
16 the capacity relief from the proposed site. How
17 does the relocation of this site help in
18 increasing the capacity to the surrounding sites
19 given that it's using the same frequencies and the
20 site is being relocated?

21 THE WITNESS (Gadasu): This is Shiva
22 Gadasu from Verizon Wireless. So the proposed
23 relocation facility will be a 4-sector design as
24 opposed to the 3-sector design on the existing
25 billboard. So by adding the fourth sector, you're

1 adding additional capacity to the site which will
2 help with these capacity problems.

3 MS. WALSH: Okay. So it's increasing
4 the range of the sectors and the distance they are
5 pointing to or the direction they're pointing to?

6 THE WITNESS (Gadasu): That is correct.

7 MS. WALSH: Okay. Are the
8 decommissioning costs of the non-tower antenna
9 array factored into your estimated project costs?

10 THE WITNESS (Befera): Tony Befera.
11 No, they are not.

12 MS. WALSH: Okay. Do you have an
13 estimation of the cost of decommissioning that
14 non-tower antenna array?

15 THE WITNESS (Befera): It would
16 probably be about \$15,000. It's an expense
17 whereas the development of the replacement
18 facility is capitalized, so it's handled
19 separately.

20 MS. WALSH: Okay. The site plans show
21 that Verizon would install up to 15 antennas. How
22 many would be installed initially?

23 THE WITNESS (Gadasu): This is Shiva
24 Gadasu. We are proposing 15 from the initial
25 stage.

1 MS. WALSH: Okay. And given that I
2 believe I read that Verizon currently has a
3 generator at the non-tower antenna location, what
4 were the factors that determined that Verizon does
5 not need a generator at the proposed site?

6 THE WITNESS (Befera): Well, we'd like
7 to have a generator at the proposed site, but
8 we're still trying to work through some spatial
9 issues. We're required by our corporate review to
10 restrict the site for diesel against ourselves.
11 So we can't do a diesel generator here. We'd have
12 to do a propane generator here which requires a
13 propane tank with a 10-foot radial spark zone. So
14 we're still working trying to work through it with
15 the applicant, but, you know, if there isn't room
16 we're not going to be able to have a permanent
17 generator here.

18 MS. WALSH: Do you have any idea what
19 space you would need for antennas?

20 THE WITNESS (Befera): Yes, we have,
21 you know, proposed drawings drawn out that are
22 being reviewed and tweaked. We're hopeful that it
23 will work out with the applicant that we can have
24 a generator. We want our own generator there for
25 reliability. We just can't do a diesel generator

1 after -- and it's not, you know, Verizon has its
2 own world of protections that they self-impose.
3 And, you know, where the facility is basically
4 next to the train tracks and, you know, our
5 environmental review was such that Verizon is not
6 willing to store any amounts of diesel fuel on the
7 site. Now, don't misunderstand me, any levels of
8 petro carbons that may have been detected that
9 caused Verizon to make that decision are well
10 below the reportable limits, but it's always been
11 our policy that if there's any trace that we would
12 diesel restrict the site and go with a propane
13 generator.

14 MS. WALSH: Okay. So you are saying
15 that you are currently in consultation with the
16 applicant in the hopes of installing a propane
17 generator at the site?

18 THE WITNESS (Befera): Yes.

19 MS. WALSH: Okay. Nothing further.
20 Thank you.

21 MR. MORISSETTE: Thank you, Mrs. Walsh.
22 We'll now continue with cross-examination of
23 Verizon Wireless by Mr. Silvestri and followed by
24 Mrs. Cooley.

25 Mr. Silvestri.

1 MR. SILVESTRI: Thank you, Mr.
2 Morissette. And thank you, Mrs. Walsh, for
3 talking about the generator.

4 Mr. Befera, I have a couple of
5 follow-up questions on that. The NTAA has a
6 60-kilowatt diesel generator that's maintained by
7 Cellco. Why do you have it there but you don't
8 want to put one at the proposed location?

9 THE WITNESS (Befera): I'm not familiar
10 with the location that you're referencing. It
11 really has to do with the environmental review and
12 soil samples and all that kind of stuff. So this
13 location that you're referencing must have --

14 MR. BALDWIN: Tony, that's the existing
15 billboard site. The NTAA is an acronym that the
16 Siting Council adopted through its
17 interrogatories.

18 THE WITNESS (Befera): Oh, oh, okay.
19 Well, that's because the physical location, you're
20 at the opposite end of the property away from the
21 train tracks, and the environmental review that
22 was done when that site was initially built close
23 to 20 years ago, I believe, didn't raise any
24 concerns at that time. This location, on the
25 other hand, the environmental consultant goes to

1 the site and sees, oh, it's going to be right next
2 to the train tracks, you know, we suggest you
3 sample soils, and we sampled soils and, you know,
4 nothing, nothing, you know, well below reportable
5 limits anything that was detected, but it was such
6 that our policy is not to store diesel fuel there.
7 You know, when you have a long-term lease at a
8 location, you know, say something happens in the
9 future, somebody has a spill and we're deemed an
10 operator at that site with a leasehold interest,
11 Verizon is very conservative in that regard and
12 don't want to get pulled into something that they
13 have nothing to do with in terms of environmental,
14 safety or hazards or anything like that.

15 MR. SILVESTRI: I appreciate your
16 response, and I'll leave the litigation part, if
17 you will, to the attorneys. I'm still confused
18 though that if you have a diesel generator that
19 has secondary containment with alarms that are in
20 it, no alarms go off, I don't know how you could
21 be liable for something that's on the ground. But
22 I won't look for an answer at this point, I'll
23 just let that go as a comment.

24 However, I will ask you with a proposed
25 four-hour battery backup with a CAM-Lock for a

1 portable generator, when would you actually deploy
2 the generator to come in, the portable one, how
3 much time would it take to reach the site and hook
4 it up, and again, what type of spatial
5 requirements would you be looking at for yours,
6 very similar to the question that I just posed to
7 DISH?

8 THE WITNESS (Befera): Well, similar to
9 DISH's response, it would depend on if it's, you
10 know, an unanticipated power outage or it's an
11 anticipated storm that we know is going to knock
12 things out for an extended period of time. But
13 assuming it's an extended period of time so that
14 we actually would bring a portable or attempt to
15 bring a portable generator, ours is kind of like
16 on a mini trailer, they take up about a parking
17 lot spot. We would -- they're going to contract
18 to have them deployed to any site in the New
19 England six states of New England within two hours
20 time. We have them staged in, you know,
21 geographically strategic locations to minimize
22 that time. So our contract is to have it deployed
23 within two hours of request.

24 MR. SILVESTRI: When you say "request,"
25 request by whom?

1 THE WITNESS (Befera): Request by our
2 operations folks to the contractor that delivers
3 these generators to the sites for us.

4 MR. MORISSETTE: And when you say the
5 portable generator would be brought in, would that
6 be a diesel generator?

7 THE WITNESS (Befera): It would be a
8 diesel generator. It's on a trailer and it has,
9 in addition to your double wall tank, it has like
10 a containment on the trailer, like a berm, so to
11 speak, under it on the trailer. So if there was a
12 mishap of refueling or anything like that,
13 nothing is going to fall on the ground.

14 MR. SILVESTRI: But the controls that
15 you would have on the trailer, could you also put
16 similar types of controls on a standalone diesel
17 generator and satisfy whatever criteria that you
18 have?

19 THE WITNESS (Befera): No, my
20 headquarters environmental health and safety team
21 won't allow us to have a permanent diesel
22 generator at this location.

23 MR. SILVESTRI: Okay. To sum up then,
24 you are amenable to putting a standalone standby
25 generator at the site should the project be

1 approved, but it would have to be propane,
2 correct?

3 THE WITNESS (Befera): Yes.

4 MR. SILVESTRI: Very good. Thank you.
5 Thank you, Mr. Morissette. I'm all set.

6 MR. MORISSETTE: Thank you, Mr.
7 Silvestri. We'll now continue with
8 cross-examination by Mrs. Cooley followed by Mr.
9 Quinlan.

10 Mrs. Cooley.

11 MRS. COOLEY: Thank you, Mr.
12 Morissette. I have no further questions.

13 MR. MORISSETTE: Thank you, Mrs.
14 Cooley. We'll now continue with cross-examination
15 by Mr. Quinlan followed by Mr. Golembiewski. Mr.
16 Quinlan.

17 MR. QUINLAN: I have no further
18 questions. Thank you.

19 MR. MORISSETTE: Thank you, Mr.
20 Quinlan. We'll now continue with
21 cross-examination by Mr. Golembiewski.

22 Mr. Golembiewski.

23 MR. GOLEMBIEWSKI: I have no questions,
24 Mr. Morissette. Thank you.

25 MR. MORISSETTE: Thank you. I have a

1 couple questions, first of all, having to do with
2 the relocated facility and having to do with
3 coverage. Would you say that the new location
4 improves coverage? We talked about capacity. But
5 does this new location also improve coverage?

6 THE WITNESS (Gadasu): This is Shiva
7 Gadasu. Yes, it does improve coverage because our
8 existing facility on the billboard we have about
9 69 feet centerline. At the new relocated facility
10 we are at 121 feet centerline which will help
11 increase our coverage from the site and also help
12 increase our coverage to the north of the site
13 where we have been looking for a new macro
14 facility for years now.

15 MR. MORISSETTE: Very good. So would
16 you say it's the increase in height that's
17 predominantly driving that or is it the shift to
18 the northeast?

19 THE WITNESS (Gadasu): Increase in
20 height.

21 MR. MORISSETTE: It's the height
22 primarily driving it. Okay. Very good. Thank
23 you. My second question is what security measures
24 would be implemented at the site by Verizon?

25 MR. BALDWIN: Mr. Morissette, do you

1 mean for the Verizon equipment at the site?

2 MR. MORISSETTE: Yes.

3 MR. BALDWIN: Thank you.

4 MR. MORISSETTE: Thank you.

5 THE WITNESS (Befera): I'm sorry, if
6 that was my question. I apologize. I didn't get
7 it.

8 MR. MORISSETTE: Okay. I'll repeat it.
9 What security measures will Verizon implement at
10 the site?

11 THE WITNESS (Befera): Well, we assume
12 that the developer of the site will have it fenced
13 in for security. Our cabinets are locked so no
14 one can get inside them except our own network
15 field engineers.

16 MR. MORISSETTE: Is there any type of
17 alarms on the cabinets that if they're tampered
18 with that alarms would go off to notify?

19 THE WITNESS (Befera): Yes, we have
20 silent alarming on the cabinets that would go to
21 an operations control center in the area, and the
22 field technician on call for that site at that
23 moment in time would be contacted to go to the
24 site.

25 MR. MORISSETTE: Very good. Thank you.

1 That's all the questions that I have. We'll now
2 continue with cross-examination of Verizon
3 Wireless by the applicant, Attorney Langer.

4 MR. LANGER: No questions, your Honor,
5 on cross.

6 MR. MORISSETTE: Thank you, Attorney
7 Langer. We'll now continue with Attorney Baldwin.
8 Attorney Baldwin.

9 MR. BALDWIN: I'm all set, Mr.
10 Morissette.

11 MR. MORISSETTE: Thank you, Attorney
12 Baldwin. We'll now continue with
13 cross-examination of Verizon Wireless by Attorney
14 Regan.

15 Attorney Regan?

16 MR. REGAN: No questions, Mr.
17 Morissette.

18 MR. MORISSETTE: Very good. Thank you.
19 Okay. At this point we're going to take a
20 12-minute break. And hopefully that gives you,
21 let me see, DISH and Barrett enough time to come
22 up with the responses that are outstanding. So we
23 will return at 25 of 4, and we'll continue with
24 the appearance of New Cingular Wireless PCS and
25 hopefully have responses to the open questions.

1 So thank you, everyone. We'll see you back here
2 at 25 of 4.

3 (Whereupon, a recess was taken from
4 3:23 p.m. until 3:35 p.m.)

5 MR. MORISSETTE: Before we obtain the
6 answers to the open questions, apparently,
7 Attorney Patrick, I did not call upon you to
8 cross-examine Verizon. Would you like to
9 cross-examine Verizon, Attorney Patrick?

10 MR. PATRICK: Thank you, Mr.
11 Morissette. No. No cross-examination from DISH.

12 MR. MORISSETTE: Very good. Thank you.
13 Okay. Let's run down the open questions that we
14 have. The first one is for Barrett having to do
15 with a yield point, and Mr. Silvestri asked
16 whether the tower would collapse upon itself. Do
17 you have a response to that question?

18 MR. LANGER: Yes. Thank you, Mr.
19 Morissette. I'm going to defer to Mr. Mead on
20 that.

21 MR. MORISSETTE: Thank you, Attorney
22 Langer. Mr. Mead.

23 THE WITNESS (Mead): Thank you. Jason
24 Mead. So in response to Mr. Silvestri's question,
25 the question was if we installed a second yield

1 point and if the tower extension location would it
2 collapse and cause damage upon the equipment
3 below. The answer to that is yes.

4 MR. MORISSETTE: Very good. Mr.
5 Silvestri, do you have any followup?

6 MR. SILVESTRI: No, that's what I
7 anticipated, Mr. Morisette. I thank you, and I
8 thank Mr. Mead.

9 THE WITNESS (Mead): Thank you.

10 MR. MORISSETTE: Very good. Thank you.
11 And the second set of questions have to do with
12 DISH. The first question was the proposed, the
13 proposed site identified by Mrs. Walsh and what
14 the status of that site is.

15 MR. PATRICK: Mr. Morisette, I'll
16 defer to Austin Pappas.

17 THE WITNESS (Pappas): Austin. The
18 proposed site at 1135, that has, it's a rooftop
19 build, and it is not filed with the municipality
20 but it is on schedule to be filed this month.

21 MR. MORISSETTE: Very good. Mrs.
22 Walsh, any followup?

23 MS. WALSH: Do you have an address and
24 height for that proposed facility?

25 THE WITNESS (Pappas): We do. Sorry,

1 Austin. Pawan is going to pull up the information
2 now for that as well.

3 MR. MORISSETTE: I'm sorry, could you
4 repeat that, please?

5 THE WITNESS (Pappas): Sure. We need
6 to pull the drawings for the adjacent site that's
7 being referenced, so Pawan is pulling up that
8 information on his laptop right now.

9 MR. MORISSETTE: Okay. Very good.
10 We'll continue on and when you get that if you
11 could let us know.

12 The next set of questions, one was from
13 Mr. Silvestri relating to the mobile generator,
14 how long would it take to dispatch it, and is
15 there enough space at the proposed site for the
16 mobile generator to be parked, I'll call it.

17 THE WITNESS (Pappas): Austin. So it
18 would be a mobile generator. It is approximately
19 105 by 68 by 56. It takes about two hours to get
20 brought to the facility by a tech. It lasts about
21 eight hours. And we send techs every eight hours
22 to check on the temp generator.

23 MR. MORISSETTE: Very good. Thank you.
24 Mr. Silvestri, any followup?

25 MR. SILVESTRI: Just one. At that

1 point would you actually deploy the mobile
2 generator?

3 THE WITNESS (Pappas): It's deployed
4 based on the disaster. So depending on the
5 situation, we would work with the group of
6 contractors to make sure that it's facilitated for
7 that scenario.

8 MR. SILVESTRI: Okay. Thank you.
9 Thank you, Mr. Morissette.

10 MR. MORISSETTE: Thank you, Mr.
11 Silvestri.

12 And the final question posed by Mr.
13 Quinlan, is DISH willing to install a permanent
14 generator with a three-day run time.

15 THE WITNESS (Pappas): Not at this
16 time. The back-up generator solution is what DISH
17 is looking to propose for the area and for this
18 location.

19 MR. MORISSETTE: Very good. Thank you
20 for your responses. And we'll go back to Mrs.
21 Walsh's question. Do you have information she's
22 looking for?

23 THE WITNESS (Pappas): Yes. So the
24 site address is 2399 Main Street, Stratford. The
25 height, I'm looking for it now, I'm sorry. Pawan,

1 it's not proposed on this sheet. The centerline
2 of the antennas will be 49 feet.

3 MR. MORISSETTE: Very good. Thank you.
4 Mrs. Walsh, anything else?

5 MS. WALSH: No, nothing further. Thank
6 you.

7 MR. MORISSETTE: Very good. Thank you.
8 And thank you, everyone, for scrambling to get
9 those questions cleared up so we could have them
10 answered at today's hearing.

11 Very good. We'll now continue with the
12 appearance or we'll start with the appearance of
13 New Cingular Wireless PCS, LLC doing business as
14 AT&T. Will the party present its witness panel
15 for the purpose of taking the oath, and Attorney
16 Bachman will administer the oath.

17 MR. REGAN: Thank you, Mr. Morissette.
18 For the record, Tom Regan from Brown Rudnick, LLP
19 here today representing New Cingular Wireless
20 doing business as AT&T. I would like to present
21 our panel, which is Martin Lavin, our RF engineer
22 from C Squared, and Dan Bilezikian, our site
23 acquisition specialist from SAI. I would ask that
24 they be sworn at this time.

25 MR. MORISSETTE: Thank you, Attorney

1 Regan.

2 Attorney Bachman, please administer the
3 oath.

4 MS. BACHMAN: Thank you, Mr.
5 Morissette. Can the witnesses please raise your
6 right hand.

7 M A R T I N J. L A V I N,
8 D A N I E L B I L E Z I K I A N,

9 having been first duly sworn (remotely) by
10 Ms. Bachman, testified on their oaths as
11 follows:

12 MS. BACHMAN: Thank you.

13 MR. MORISSETTE: Thank you, Attorney
14 Bachman.

15 Attorney Regan, could you please begin
16 by verifying all the exhibits by the appropriate
17 sworn witness.

18 DIRECT EXAMINATION

19 MR. REGAN: Yes, absolutely. So we
20 have four exhibits today which are are listed on
21 the hearing program as Roman Numeral V-B-1 through
22 4. I would ask each of my witnesses, I would ask
23 my witnesses to verify the exhibits.

24 Mr. Lavin, will you please answer the
25 following questions: Did you prepare or assist in

1 the preparation of these exhibits?

2 THE WITNESS (Lavin): Martin Lavin.
3 Yes.

4 MR. REGAN: Are there any corrections,
5 modifications or clarifications to any of these
6 exhibits?

7 THE WITNESS (Lavin): Yes, one
8 clarification, typo on our interrogatory
9 responses, attachment C, the second plot. The
10 legend should read 1900 megahertz, not 700.

11 MR. REGAN: Thank you, Mr. Lavin. As
12 modified, are these exhibits true and accurate to
13 the best of your knowledge?

14 THE WITNESS (Lavin): Martin Lavin.
15 Yes.

16 MR. REGAN: And do you accept these as
17 your testimony here today?

18 THE WITNESS (Lavin): Martin Lavin.
19 Yes.

20 MR. REGAN: Thanks. Mr. Bilezikian,
21 will you answer the following questions. Did you
22 prepare or assist in the preparation of these
23 exhibits?

24 THE WITNESS (Bilezikian): I did.

25 MR. REGAN: Are there any corrections,

1 modifications or clarifications to any of these
2 exhibits?

3 THE WITNESS (Bilezikian): No.

4 MR. REGAN: Are these exhibits true and
5 accurate to the best of your knowledge?

6 THE WITNESS (Bilezikian): Yes.

7 MR. REGAN: And do you accept these
8 exhibits as your testimony here today?

9 THE WITNESS (Bilezikian): I do.

10 MR. REGAN: Thank you. Mr. Morissette,
11 I would ask that AT&T's Exhibits 1 through 4 be
12 admitted as full exhibits.

13 MR. MORISSETTE: Thank you, Attorney
14 Regan. Does any party or intervenor object to the
15 admission of AT&T's exhibits? Attorney Langer.

16 MR. LANGER: No objection from the
17 applicant. Thank you.

18 MR. MORISSETTE: Thank you. Attorney
19 Patrick.

20 MR. PATRICK: No objection. Thank you.

21 MR. MORISSETTE: Thank you. And
22 Attorney Baldwin.

23 MR. BALDWIN: No objection.

24 MR. MORISSETTE: Thank you. The
25 exhibits are hereby admitted.

1 (Intervenor New Cingular Wireless PCS,
2 LLC d/b/a AT&T Exhibits V-B-1 through V-B-4:
3 Received in evidence - described in index.)

4 MR. MORISSETTE: We will now begin with
5 cross-examination of AT&T by the Council, starting
6 with Mrs. Walsh followed by Mr. Silvestri.

7 Mrs. Walsh.

8 CROSS-EXAMINATION

9 MS. WALSH: Thank you. Referring to
10 the response to Interrogatory No. 10 regarding
11 FirstNet subscribers, the response lists the
12 FirstNet subscribers in Bridgeport and Stratford.
13 By "subscribers," does it mean the number of
14 individuals within each entity such as the fire
15 department or the police station rather than the
16 emergency entity as a whole?

17 THE WITNESS (Bilezikian): No, it means
18 the number of people who have subscribed who have
19 an account. It doesn't mean the individual within
20 an organization that is a subscriber.

21 MS. WALSH: The number of users of the
22 system?

23 THE WITNESS (Bilezikian): Correct.

24 MS. WALSH: Okay. At what frequencies
25 would AT&T provide 5G services initially?

1 THE WITNESS (Lavin): Excuse me. This
2 is Martin Lavin. I can get that answer up here in
3 just a moment. I just have to look at our radio
4 frequency layout for the site. I'm just opening
5 it here. 5G services will be offered at 850
6 megahertz and only at 850 megahertz. It would be
7 our 5G, not our 5G Plus.

8 MS. WALSH: Okay. Referring to, Mr.
9 Lavin, to your prefile testimony, the Question No.
10 4, the response states there's a coverage
11 deficiency with nonreliable service for calls and
12 data services. Are calls still a measure for
13 reliability for AT&T?

14 THE WITNESS (Lavin): They do not drive
15 our network expansion. They're a very small
16 portion of our traffic. The overwhelming majority
17 is high speed data as opposed to voice services.

18 MS. WALSH: Okay. And for AT&T, would
19 any alarms or other type of security measures be
20 used on your equipment cabinets at the site?

21 THE WITNESS (Bilezikian): Dan
22 Bilezikian. Yes, the equipment is alarmed
23 connected back to the network operations center.

24 MS. WALSH: I have nothing further.
25 Thank you.

1 MR. MORISSETTE: Thank you, Mrs. Walsh.
2 We'll now continue with cross-examination of AT&T
3 by Mr. Silvestri followed by Mrs. Cooley.

4 Mr. Silvestri.

5 MR. SILVESTRI: Thank you, Mr.
6 Morissette. From what I see, you're proposing
7 both battery backup as well as a 15-kilowatt
8 generator. So should power go out, what actually
9 kicks in first, is it the batteries or is it the
10 generator?

11 THE WITNESS (Bilezikian): Generator.

12 MR. SILVESTRI: The generator kicks in
13 first. So once the generator would die, so to
14 speak, you still have a couple hours with the
15 batteries before you'd lose everything?

16 THE WITNESS (Bilezikian): Correct.

17 MR. SILVESTRI: Thank you. And do you
18 have an estimate for the cost of the 15-kW
19 generator?

20 THE WITNESS (Bilezikian): I don't have
21 a figure for that, no.

22 MR. SILVESTRI: Okay. Thank you.
23 Thank you, Mr. Morissette. That's all I have.

24 MR. MORISSETTE: Thank you, Mr.
25 Silvestri. We'll now continue with

1 cross-examination by Mrs. Cooley followed by Mr.
2 Quinlan.

3 Mrs. Cooley.

4 MRS. COOLEY: Thank you, Mr.
5 Morissette. I have no further questions. Thanks.

6 MR. MORISSETTE: Thank you, Mrs.
7 Cooley. Now we'll continue with cross-examination
8 by Mr. Quinlan followed by Mr. Golembiewski.

9 Mr. Quinlan.

10 MR. QUINLAN: No additional questions.
11 Thank you.

12 MR. MORISSETTE: Thank you, Mr.
13 Quinlan.

14 Mr. Golembiewski.

15 MR. GOLEMBIEWSKI: I have no questions
16 of AT&T. Thank you.

17 MR. MORISSETTE: Thank you. I just
18 have one clarifying question. AT&T is not on the
19 billboard; is that correct?

20 THE WITNESS (Bilezikian): Dan
21 Bilezikian. Yes, that's correct.

22 MR. MORISSETTE: Okay. So that's why
23 it appears that your coverage improves quite a bit
24 and therefore that's the reason. That's correct,
25 right?

1 THE WITNESS (Bilezikian): Yes.

2 MR. MORISSETTE: Okay. Very good.
3 That's all the questions that I have. We will
4 continue with cross-examination of AT&T by the
5 applicant, Attorney Langer.

6 MR. LANGER: No cross from me. Thank
7 you.

8 MR. MORISSETTE: Thank you. We'll now
9 continue with cross-examination by Dish Wireless,
10 Attorney Patrick?

11 MR. PATRICK: No cross-examination.
12 Thank you.

13 MR. MORISSETTE: Thank you. We'll now
14 continue with cross-examination of AT&T by Verizon
15 Wireless, Attorney Baldwin.

16 MR. BALDWIN: No questions, Mr.
17 Morissette. Thank you.

18 MR. MORISSETTE: Very good. Thank you,
19 everyone. I do not believe we have any open
20 questions so we have completed our hearing for
21 this afternoon. Therefore, the Council will
22 recess until 6:30 p.m., at which time we will
23 commence with the public comment session of this
24 remote public hearing. I want to thank you once
25 again, everyone, and we will see you at 6:30.

1 Thank you, everyone.

2 (Whereupon, the hearing adjourned at
3 3:50 p.m.)

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1 CERTIFICATE FOR REMOTE HEARING

2
3
4 I hereby certify that the foregoing 85 pages
5 are a complete and accurate computer-aided
6 transcription of my original stenotype notes taken
7 before the CONNECTICUT SITING COUNCIL of the
8 REMOTE PUBLIC HEARING IN RE: DOCKET NO. 511,
9 BARRETT OUTDOOR COMMUNICATIONS APPLICATION FOR A
10 CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND
11 PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE, AND
12 OPERATION OF A TELECOMMUNICATIONS FACILITY LOCATED
13 AT 200 EAST MAIN STREET REAR, STRATFORD,
14 CONNECTICUT, which was held before JOHN
15 MORISSETTE, PRESIDING OFFICER, on October 6, 2022.

16 

17 -----
18 Lisa L. Warner, CSR 061
19 Court Reporter
20
21
22
23
24
25

I N D E X

COUNCIL'S ADMINISTRATIVE NOTICE ITEMS I-B-1 through I-B-79: RECEIVED IN EVIDENCE ON PAGE 8.

APPLICANT'S WITNESSES: (Sworn on page 10)
JOHN E. BARRETT
CHUCK REGULBUTO
DEAN GUSTAFSON
JASON R. MEAD
BRIAN GAUDET

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Mr. Morissette	35
Mr. Baldwin	42

APPLICANTS' EXHIBITS
(Received in evidence)

EXHIBIT	DESCRIPTION	PAGE
II-B-1	Application for a Certificate of Environmental Compatibility and Public Need, filed by Barrett Outdoor Communications, received July 25, 2022, and attachments	14
II-B-2	Applicant's affidavit of Publication, dated July 29, 2022	14
II-B-3	Applicant's sign posting affidavit, dated September 9, 2022	14
II-B-4	Applicant's responses to Council interrogatories, Set One, dated September 22, 2022	14

1 I n d e x: (Cont'd)

2 DISH WIRELESS, LLC WITNESSES: (sworn on page 45)

3 PAWAN MADAHAR
4 AUSTIN PAPPAS
5 MICHAEL JONES

6 EXAMINERS:

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8 DISH WIRELESS, LLC EXHIBITS
9 (Received in evidence)

10 EXHIBIT DESCRIPTION PAGE

11 III-B-1 DISH's request to intervene, dated 48
12 July 27, 2022

13 III-B-2 DISH's responses to Council 48
14 interrogatories, Set One, dated
September 23, 2022

15 * * * *

16 CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS
17 WITNESSES: (Sworn on page 57)

18 SHIVA GADASU
19 ANTHONY BEFERA

20 EXAMINERS:

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21 CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS EXHIBITS
22 (Received in evidence)

23 EXHIBIT DESCRIPTION PAGE

24 IV-B-1 Verizon's request to intervene, 60
25 dated August 9, 2022

IV-B-2 Verizon's responses to Council 60
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September 21, 2022

1 I n d e x: (Cont'd)

2
3 NEW CINGULAR WIRELESS PCS, LLC D/B/A AT&T
4 WITNESSES: (Sworn on page 77)

5 MARTIN J. LAVIN
6 DANIEL BILEZIKIAN

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8 NEW CINGULAR WIRELESS PCS, LLC D/B/A AT&T EXHIBITS
9 (Received in evidence)

EXHIBIT	DESCRIPTION	PAGE
V-B-1	AT&T's Request to Intervene, dated August 10, 2022	80
V-B-2	AT&T's responses to Council interrogatories, Set One, dated September 20, 2022	80
V-B-3	AT&T's pre-filed testimony of Martin J. Lavin, dated September 29, 2022	80
V-B-4	AT&T's pre-filed testimony of Daniel Bilezikian, dated September 29, 2022	80