

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

**RE: APPLICATION OF SBA TOWERS II, LLC
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR
THE CONSTRUCTION, MAINTENANCE AND
OPERATION OF A TELECOMMUNICATIONS
FACILITY AT ONE OF TWO ALTERNATE SITES AT
RABBIT HILL ROAD, WARREN, CONNECTICUT**

DOCKET NO. 378

Date: May 19, 2009

APPLICANT'S RESPONSES
TO SECOND SET OF INTERROGATORIES FROM CROWW

Applicant SBA Towers II, LLC ("SBA") hereby submits the following responses to the Concerned Residents of Warren and Washington's ("CROWW") second set of pre-hearing interrogatories dated May 12, 2009.

Q1. Proposed Power and Frequencies

1. Please provide worst case power density calculations and analyses for proposed Sites A and B in accordance with the most current edition of FCC OET Bulletin No. 65. Identify the formula(s) used and show all calculations. Provide simple diagrams similar to Figure 4 in Bulletin No. 65, identifying all points of interest and their spatial relationships. Identify the maximum permissible exposure (MPE) for the general population for each frequency. Assume that all channels are operating simultaneously at maximum power and that all antennas in a sector are oriented directly toward the point of interest. Provide power density levels individually for each initial and potential service/frequency band and the cumulative percentage of MPE with all initial and future carriers operating. Address the following carriers and points of interest as a minimum:

Carriers

**AT&T Wireless Cellular
AT&T Wireless PCS
Verizon Wireless Cellular
Verizon Wireless PCS
Verizon Wireless 800 MHz
T-Mobile
Town of Warren Emergency Services
Point-to-Point (backhaul) services
Other potential carriers**

Points of Interest

The base of the tower

The nearest point(s) of public access

The points of greatest power density

The property line of the nearest adjacent property

The nearest part of the nearest residential building

A1. SBA objects to this interrogatory on the basis that the information sought is outside the jurisdiction of the Council. The Telecommunications Act of 1996, codified at 47 U.S.C. § 332 (c)(7)(B)(iv), the Council is preempted from regulating the placement, construction or modification of telecommunications facilities on the basis of concerns for the environmental effects of radio frequency emissions to the extent that such emissions comply with FCC guidelines for such emissions. SBA further objects to this interrogatory on the basis that it does not represent AT&T, Verizon, T-Mobile or the Town of Warren in this docket. AT&T, Verizon and the Town of Warren have all obtained legal status in this docket. All interrogatories concerning these intervenors and parties should be directed to them, through their representatives in this docket. SBA further objects to this interrogatory on the basis that it cannot predict future users and carriers on the proposed Facility, at either Site. As the Council is aware, all future user would have to file the appropriate application with the Council and verify the Facility's continued compliance with FCC guidelines and regulations. Finally, SBA objects to this interrogatory on the basis that much of the information requested has already been provided in other filings in this docket.

Subject to these objections and without waiving the same, see Exhibit 1 attached hereto.

Q2. Please provide propagation maps showing the current coverage of Town of Warren Emergency Services within the Town and a map showing the coverage potentially available from proposed Sites A and B. Identify all frequencies, services and received signal strength levels and all assumptions, including Effective Radiated Power (ERP), antenna types and antenna heights associated with these services.

A2. SBA objects to this interrogatory. SBA does not represent the Town of Warren. The Town of Warren is a party in this docket and, as such, all interrogatories concerning the Town of Warren should be directed to that party, through its representative in this docket. As noted in the application materials and information filed by the Town of Warren, SBA has offered to the Town, free of charge, space on the proposed Facility (at either Site) for the Town's emergency services equipment. The Town has stated that it would like to reserve that space for its use. SBA re-confirms its intent to provide that space to the Town of Warren.

Site Description:

Q3. Please provide the coordinates for the exact location of the tower at Sites A and B.

A3. Site A: 41°-42'-14.8"; 73°-18'-56.9"

Site B: 41°-42'-21.1"; 73°-19'-02"

Q4. Please provide the square footage of the area to be occupied by the tower and related equipment and access route for each of Sites A and B.

A4. Site A: 16,900 square feet, including the access road and equipment compound
Site B: 10,840 square feet, including the access road and equipment compound

Agricultural Restriction

Q5. Did the Applicant or any consultant on its behalf meet or communicate with any representative of the following agencies concerning the issue of "agricultural restrictions" referred to in C.G.S. §16-50p(a)(3)(G)?

Connecticut Siting Council
Connecticut Department of Agriculture
Connecticut Farmland Preservation Program
Connecticut Council on Environmental Quality
Connecticut Office of Attorney General
Other Connecticut official agencies
Any party or intervenor in Docket 378

A5. As discussed in the Application and bulk filing materials, the issue of the conveyance of development rights on the property was raised by the Town of Washington as well as residents during the public informational session held during the municipal consultation for this docket.

Q6. If so, please describe the contents of such meeting or communication and provide a copy of any written summary, memorandum, emails, notes, minutes or other documentation.

A6. Not applicable. All communications have already been produced in the bulk filing for this docket.

Warren Town Plans

Q7. Did the Applicant or any consultant on its behalf review the Warren Recommended Town Plan dated 1974? If so, please describe or provide a copy of any written analysis, memorandum, or other document relating to the applicability and effect of such Plan on the proposed tower at Sites A and B.

A7. No.

Q8. Did the Applicant or any consultant on its behalf review the Warren Plan of Development Update, dated 1989? If so, please describe or provide a copy of any written analysis, memorandum, or other document relating to the applicability and effect of such Plan on the proposed tower at Sites A and B.

A8. No. In conversations with Town of Warren officials, SBA was informed that the Town of Warren did not have a plan of conservation and development and that such plan was in the process of being finalized by the Town. This has been confirmed in the information provided by the Town of Warren in this docket.

Q9. Did the Applicant or any consultant on its behalf review the Warren Plan of Conservation dated 2009? If so, please describe or provide a copy of any written analysis, memorandum, or other document relating to the applicability and effect of such Plan on the proposed tower at Sites A and B.

A9. As noted above and as noted in correspondence sent in by the Town of Warren, the 2009 plan of conservation and development was finalized subsequent to the filing of this Application. In addition, the newly-approved 2009 plan is still not available for purchase from the Town of Warren. Nonetheless, SBA was able to obtain copies of the sections of the 2009 plan that pertain to telecommunications facilities. Copies of that section are attached hereto as Exhibit 2.

Of note, the 2009 plan does recognize the necessity of providing wireless service not only for wireless communications but also for emergency services. SBA submits that its proposed Facility at either Site meet the location, protection of important resources and design considerations as laid out in the 2009 plan. As established by the materials submitted by SBA in this docket, the proposed Facility (at either Site) will have no impact on environmentally sensitive areas, will have no impact on historic resources in the area (as determined by the State Historic Preservation Office) or be detrimental to scenic areas. As demonstrated in the application, the proposed Facility at either Site will not be visible from Lake Waramaug, Mt. Tom State Park, including the Mt. Tom observatory tower or from the Macricostas Preserve.

Warren Zoning Regulations

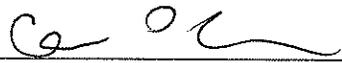
Q10. What is the distance from the nearest three residences to Site A and to Site B?

A10. Site A: 520' SW, 592' NW, 781' S
Site B: 310' SW, 474' NW, 1132' N

Q11. What is the distance from the nearest three adjacent property lines to Site A and to Site B?

A11. Site A: 150' E, 417' SW, 575' NW
Site B: 233' SW, 418' NW, 772' E

Respectfully Submitted,

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Certification

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

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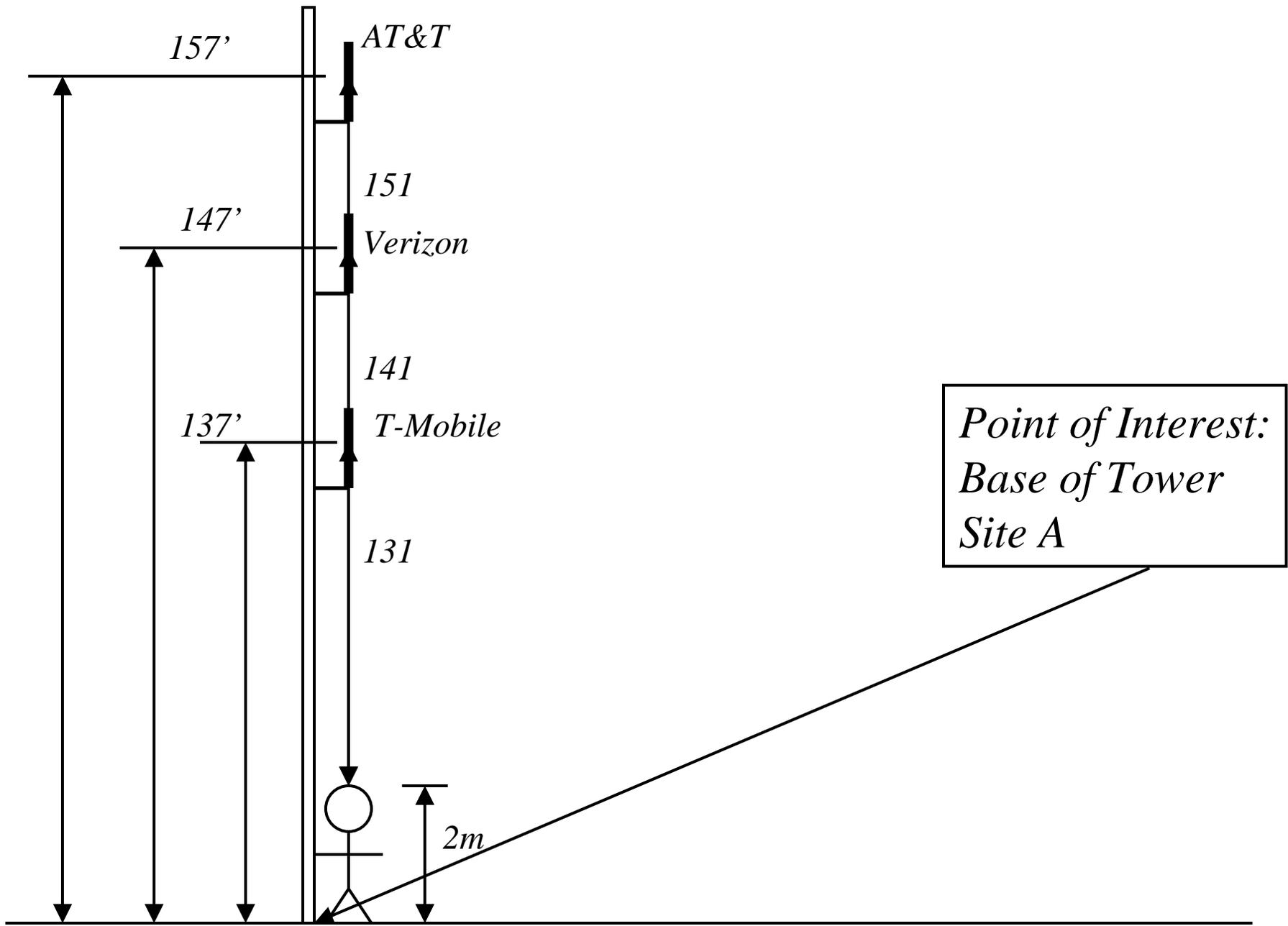
EXHIBIT 1

MPE Calculation Verification

	Antenna Height (Feet)	Operating Frequency (MHz)	Number of Trans.	Effective Radiated Power (ERP) Per Transmitter (Watts)	Power Density (mw/cm ²)	Limit	%MPE	Total	Value Calculated by Operator
VZW PCS	153	1970	14	490.38	0.1142	1.0000	11.42%	24.66%	24.68%
VZW Cellular	153	875	9	407.41	0.0610	0.5830	10.46%		
VZW 700	153	746	1	832.9	0.0139	0.4973	2.79%		
AT&T GSM - Site A	166	1970	2	427	0.0120	1.0000	1.20%	5.23%	5.2%
AT&T GSM - Site A	166	880	4	296	0.0166	0.5867	2.83%		
AT&T UMTS - Site A	166	880	1	500	0.0070	0.5867	1.20%		
AT&T GSM - Site B	156	1970	2	427	0.0136	1.0000	1.36%	5.95%	6.0%
AT&T GSM - Site B	156	880	4	296	0.0189	0.5867	3.22%		
AT&T UMTS - Site B	156	880	1	500	0.0080	0.5867	1.36%		

NOTE: HEIGHTS ARE ADJUSTED FOR C SQUARED ASSUMPTION OF SIX FOOT TALL USER

OPERATOR CALCULATIONS HAD ASSUMED MPE AT GROUND LEVEL



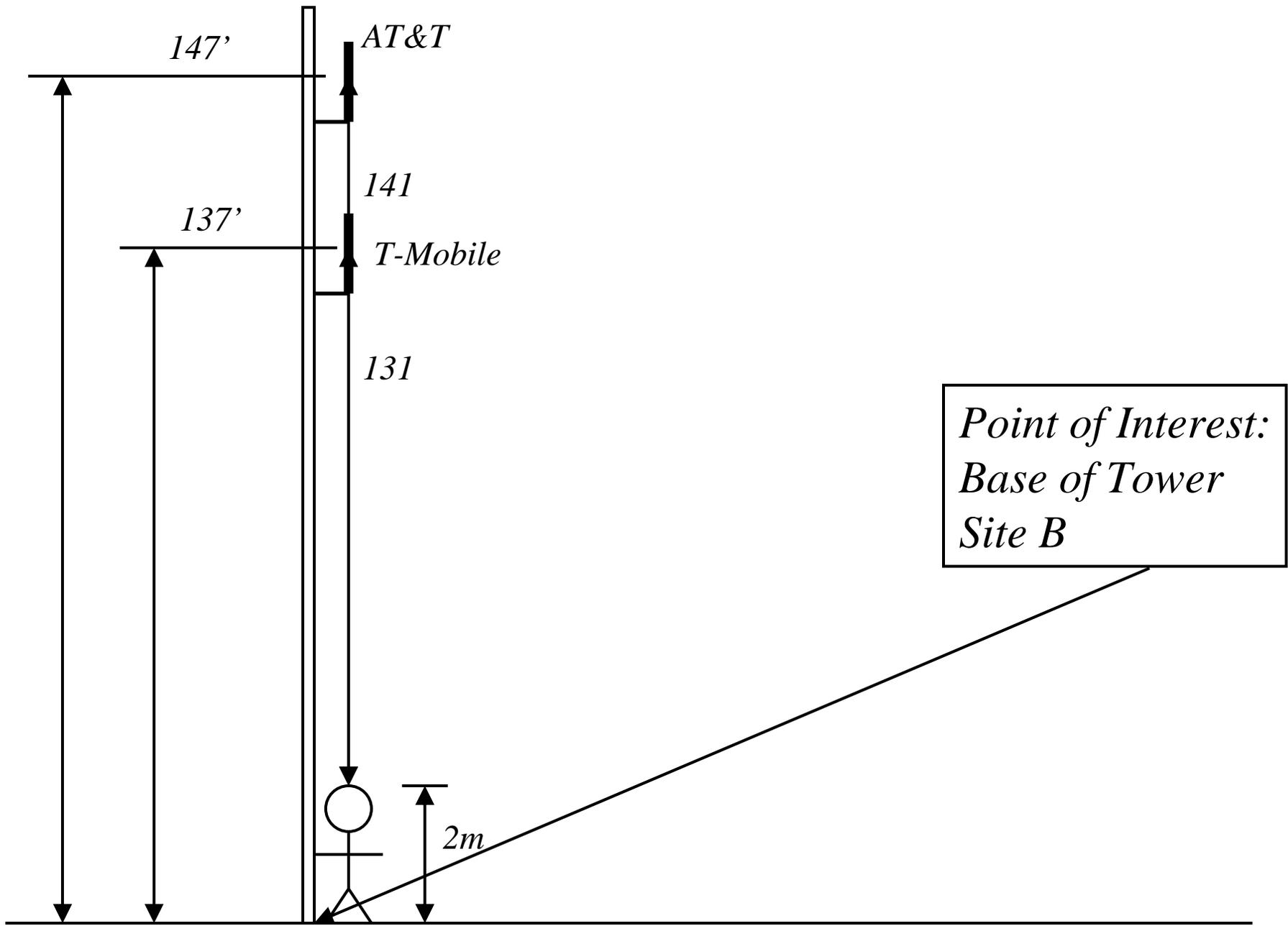


EXHIBIT 2

Enhance Telecommunication Services

Wireless communication services are becoming an issue of greater interest for Warren residents. Once considered a luxury, cellular telephones and other wireless services are becoming more important as a means of communication and for public safety and convenience. In fact, for increasing numbers of people, cellular phones are the only telephone service they use.

While Warren will always be concerned about the aesthetic impacts of telecommunications towers, enhancing local wireless services will be a community goal in the future. In order to provide guidance for the siting of telecommunications towers and facilities, the Plan recommends that Warren consider adopting telecommunication siting principles.

Wireless Communications Strategies

1. Seek ways to enhance local wireless communications coverage in ways appropriate to Warren's rural character.
2. Adopt and implement telecommunications siting principles.

Provided For Informational Purposes

Policy Concepts - General Approach

Statement of Purpose

The Town of Warren recognizes that wireless communication services are an important part of the daily lives of many people. The Town wishes to allow for the availability of adequate wireless communications service in Warren while striving to find the least obtrusive means of having such services available.

Basic Program

The following policy preferences are intended to provide guidance to wireless telecommunications providers, the Connecticut Siting Council (which regulates the siting of new towers), and the Planning and Zoning Commission in terms of the siting of new wireless telecommunications facilities.

The Town of Warren intends to carefully review applications for wireless telecommunications facilities (whether to the Connecticut Siting Council or the Planning and Zoning Commission) that may affect the community or its residents. When the Town is notified (as required) of a pending application to the Siting Council for a wireless telecommunications tower, it is the intent of the Town to schedule a public informational meeting where the wireless telecommunications provider can explain the need for and the impact of the proposed wireless telecommunications tower. Based on the input received at this meeting and other information collected, the Town of Warren will prepare and provide testimony to the Siting Council for use during the permitting process.

Policy Concepts - Siting Preferences

General Siting Preferences

The Town of Warren seeks to encourage or require the siting of wireless telecommunications facilities in ways that will:

- Allow for permitting of locations which are the least visually obtrusive.
- Establish locations least disruptive to the public health, safety, and welfare consistent with the Plan of Conservation and Development.
- Protect the town's visual quality and minimize any adverse visual impacts through proper design, siting, and screening.
- Safeguard the community and minimize potential damage to adjacent properties.
- Minimize the number of towers, especially ground-mounted towers.
- Restrict the height to that needed to establish opportunities for co-location of multiple carriers.
- Provide for the orderly removal of abandoned antennas and towers.

Specific Siting Preferences For Towers

Location

1. Towers should be located to serve areas lacking adequate wireless telecommunication service identified by the Connecticut Siting Council.
2. Applications should include a review of alternate locations and alternate technologies.
3. Parties wishing to locate towers within Warren should fly a balloon from the proposed location so that visual impacts may be evaluated from various locations.

Protection of Important Resources

4. The location should preserve the integrity of environmentally sensitive areas including unique wildlife habitats, wetlands, historic, and archaeological resources.
5. A location within or adjacent to any officially designated historic areas including any resource on the National Register of Historic Places should be avoided.
6. There should be no detrimental impact to any scenic area, scenic vista, designated scenic road, ridgeline, or significant geologic or natural features within Warren, especially those noted in the Plan of Conservation and Development.

Design Considerations

7. Tower locations should include an adequate fall zone that will protect public safety.
8. The use of stealth technologies should be employed whenever possible.
9. Signage and lighting should not be permitted except what is clearly necessary for public safety.
10. Site development should minimize impervious surfaces, avoid soil erosion and runoff problems, maintain natural buffers, provide for security, and provide for safe access.