



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

www.ct.gov/csc

October 2, 2018

Samuel Simons
Development Manager
T-Mobile USA
35 Griffin Road South
Bloomfield, CT 06002

RE: **EM-T-MOBILE-009-170417** – T-Mobile notice of intent to modify an existing telecommunications facility located at 8 Chimney Drive, Bethel, Connecticut.

Dear Mr. Simons:

The Connecticut Siting Council (Council) received Notice of Compliance with Conditions and Construction Completion correspondence regarding the above-referenced site on September 26, 2018. However, the approval for the modifications expired as of May 8, 2018.

This request for an exempt modification was approved by the Council on May 8, 2017. Condition No. 7 of the Council's decision letter clearly indicated, "The validity of this action shall expire one year from the date of this letter." Condition No. 8 of the Council's decision letter clearly indicated, "The applicant may file a request for an extension of time beyond the one year deadline provided that such request is submitted to the Council not less than 60 days prior to the expiration."

As of May 8, 2018, the Council did not receive any correspondence relative to compliance with the conditions of the May 8, 2017 decision letter, and in accordance with the conditions of the May 8, 2017 decision letter, the Council deemed the May 8, 2017 decision to approve this exempt modification to have expired.

On June 28, 2018, T-Mobile filed a request for an extension of time to submit a notice of completion of construction. However, that request was denied by the Council in a letter dated July 6, 2018 as the Council's approval of the modification expired on May 8, 2018 and T-Mobile did not submit a request for an extension at least 60 days prior to the May 8, 2018 expiration. The Council's July 6, 2018 denial of the request for an extension clearly stated that any modifications to the facility would require explicit notice to the Council pursuant to Regulations of Connecticut State Agencies Section 16-50j-73 and a new filing fee.

Although it appears that completion of construction at the site occurred on April 5, 2018 based on the September 26, 2018 Notice of Compliance with Conditions and Construction Completion, the denial was issued on the premise that a request for an extension was not submitted prior to the required deadline.

As the equipment is currently operational at the site and the conditions of the expired approval have been met, the Council will not initiate any enforcement action at this time; however, please be advised that if a similar incident occurs at another site, the Council may initiate such action.

Thank you for your future anticipated cooperation.

Sincerely,

Melanie A. Bachman
Executive Director

MAB/laf

Enclosures





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May 8, 2017

Denise Sabo
Northeast Site Solutions
199 Brickyard Road
Farmington, CT 06032

RE: **EM-T-MOBILE-009-170417** – T-Mobile notice of intent to modify an existing telecommunications facility located at 8 Chimney Drive, Bethel, Connecticut.

Dear Ms. Sabo:

The Connecticut Siting Council (Council) hereby acknowledges your notice to modify this existing telecommunications facility, pursuant to Section 16-50j-73 of the Regulations of Connecticut State Agencies with the following conditions:

1. The facility shall be reinforced in accordance with the Structural Analysis report prepared by CENTEK Engineering dated February 8, 2017, and stamped by Timothy Lynn;
2. Within 45 days following completion of the equipment installation, T-Mobile shall provide documentation certified by a Professional Engineer that its installation complied with the recommendations presented in the Structural Analysis;
3. Any deviation from the proposed modification as specified in this notice and supporting materials with the Council shall render this acknowledgement invalid;
4. Any material changes to this modification as proposed shall require the filing of a new notice with the Council;
5. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;
6. Any nonfunctioning antenna and associated antenna mounting equipment on this facility owned and operated by T-Mobile shall be removed within 60 days of the date the antenna ceased to function;
7. The validity of this action shall expire one year from the date of this letter; and
8. The applicant may file a request for an extension of time beyond the one year deadline provided that such request is submitted to the Council not less than 60 days prior to the expiration.

The proposed modifications including the placement of all necessary equipment and shelters within the tower compound are to be implemented as specified here and in your notice dated April 13, 2017. The modifications are in compliance with the exception criteria in Section 16-50j-72 (b) of the Regulations of Connecticut State Agencies as changes to an existing facility site that would not increase tower height, extend the boundaries of the tower site by any dimension, increase noise levels at the tower site boundary by six decibels or more, and increase the total radio frequencies electromagnetic radiation power density measured at the tower site boundary to or above the standards adopted by the Federal Communications Commission pursuant to Section 704 of the Telecommunications Act of 1996 and by the state Department of Energy and Environmental Protection pursuant to Connecticut General Statutes § 22a-162. This facility has also been



carefully modeled to ensure that radio frequency emissions are conservatively below state and federal standards applicable to the frequencies now used on this tower.

This decision is under the exclusive jurisdiction of the Council. Please be advised that the validity of this action shall expire one year from the date of this letter. Any additional change to this facility will require explicit notice to this agency pursuant to Regulations of Connecticut State Agencies Section 16-50j-73. Such notice shall include all relevant information regarding the proposed change with cumulative worst-case modeling of radio frequency exposure at the closest point of uncontrolled access to the tower base, consistent with Federal Communications Commission, Office of Engineering and Technology, Bulletin 65. Thank you for your attention and cooperation.

Very truly yours,



Melanie A. Bachman
Executive Director

MAB/RDM/bm

- c: The Honorable Matthew S. Knickerbocker, First Selectman, Town of Bethel
Beth Cavagna, Director/Town Planner, Town of Bethel
CL&P d/b/a Eversource



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July 6, 2018

Samuel Simons
Development Manager
T-Mobile USA
35 Griffin Road South
Bloomfield, CT 06002

RE: **EM-T-MOBILE-009-170417** – T-Mobile notice of intent to modify an existing telecommunications facility located at 8 Chimney Drive, Bethel, Connecticut.

Dear Mr. Simons:

The Connecticut Siting Council (Council) is in receipt of your letter dated June 28, 2018, submitted on behalf of T-Mobile, requesting an extension of time to submit a notice of completion of construction for the above-referenced exempt modification.

The Council hereby denies the request for an extension of time to modify the facility. Pursuant to Conditions 7 and 8 of the Council's decision letter dated May 8, 2017 for the exempt modification request, the Council's approval of the modification expired on May 8, 2018 and the applicant did not submit a request for an extension at least 60 days prior to the expiration.

Any modifications to this facility will require explicit notice to the Council pursuant to Regulations of Connecticut State Agencies Section 16-50j-73 and a filing fee.

Thank you for your attention to this matter.

Sincerely,

Melanie A. Bachman
Executive Director

MAB/FOC/laf

June 28, 2018

Attorney Melanie Bachman
Acting Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06501

Dear Attorney Bachman,

The following T-Mobile exempt modification site is unable to meet Connecticut Siting Council closeout requirements due to the fact that the Professional Engineer Letter has not been completed yet. The Letter is expected to be completed by the end of July 2018. Upon the completion of the Engineer Letter we will submit a closeout letter for the below site.

EM-T-MOBILE-009-170417: 8 Chimney Drive, Bethel

Please contact Denise Sabo at 860-209-4690 with any questions or concerns.

Sincerely,



Samuel Simons, Engineering Development - Connecticut

cc: Mark Richard, Engineering and Operations