TS-DISH-162-190626

June 21, 2019

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Connecticut Siting Council

Melanie A. Bachman
Acting Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

RE: **Request of Dish Network Northeast LLC for an Order to Approve the Shared Use of an Existing Tower at 428 Platt Hill Road, Winsted, CT 06098-2522**

ORIGINAL

Dear Ms. Bachman:

Pursuant to Connecticut General Statutes ("C.G.S.") §16-50aa, as amended, Dish Network ("Dish Network") hereby requests an order from the Connecticut Siting Council ("Council") to approve the shared use by Dish Network of an existing telecommunication tower at 428 Platt Hill Road, Winsted, CT 06098-2522 (the "Property") The existing 244-foot tower and ground is owned by American Tower Corporation. ("ATC") Dish Network requests that the Council find that the proposed shared us of the ATC tower satisfies the criteria of C.G.S. §16-50aa and issue an order approving the proposed shared us. A copy of this filing is being sent to Althea Candy Perez, Mayor for the Town of Winchester as well as the property owner (ATC).

Background

The existing ATC facility consists of a 244' tower on a 3.5-acre parcel along the west side of Plat Hill Road. AT&T has antennas at the 226' level, Sprint has antennas at the 196' level, US Department of Homeland Security has antennas at the 194' level, All-Start Transportation has antennas at the 174' level and Sigfox S.A has antennas at the 160' level. All five (5) carriers have their ground equipment located within the existing 51' by 25' shelter located on the property.

Dish Network is licensed by the Federal Communications Commission ("FCC") to provide wireless services throughout the State of Connecticut. Dish Network and ATC have agreed to the proposed shared use of the 428 Plat Hill Road tower pursuant to mutually acceptable terms and conditions. Likewise, Dish Network and ATC have agreed to the proposed installation of equipment cabinets on the ground on the south east corner of the tower. ATC has authorized Dish Network to apply for all necessary permits and approvals that may be required to share the existing tower.

Dish Network proposes to install three (3) panel antennas, five (5) RRUs, one (1) hybrid fiber lines. Dish will install a new 5' x 7' steel platform within the existing fenced compound to house one (1) equipment cabinet.

The Construction Drawings are Dish Network's project specifications for locations of all proposed site improvements. The Construction Drawings also contain specifications for Dish Network's proposed antennas.

C.G.S. § 16-50aa(c)(1) provides that, upon written request for approval of a proposed shared use, "if the Council finds that het proposed shared use of the facility is technically, legally, environmentally and economically feasible and meets public safety concerns, the council shall issue an order approving such a shared use." Dish Network respectfully submits that the shared use of the tower satisfies these criteria.

A. Technical Feasibility. The existing ATC tower is structurally capable of supporting Dish Network's proposed improvements. The prosed shared use of this tower is, therefore, technically feasible. A Feasibility Structural Analysis Report ("Structural Report") prepared for this project confirms that this tower can support Dish Network's proposed loading. A copy of the Structural Report has been included in this application.

B. Legal Feasibility. Under C.G.S. § 16-50aa, the Council has been authorized to issue order approving the shared use of an existing tower such as the ATC tower. This authority complements the Council's prior-existing authority under C.G.S. § 16-50p to issue orders approving the construction of new towers that are subject to the Council's jurisdiction. In addition, § 16-50x(a) directs the Council to "give such consideration to the other state laws and municipal regulations as it shall deem appropriate" in ruling on requests for the shared use of existing tower facilities. Under the statutory authority vested in the Council, an order by the Council approving the requested shared use would permit the Applicant to obtain a building permit for the proposed installations.

C. Environmental Feasibility. The proposed shared use of the ATC tower would have a minimal environmental effect for the following reasons:

1. The proposed installation of three (3) panel antennas, five (5) RRUs, and one (1) hybrid fiber lines will have no visual impact on the area of the tower. Dish Network's cabinet would be installed within an existing fenced compound. Dish Network's shared use of this tower therefore will not cause any significant change or alteration in the physical or environmental characteristics of the existing site.

2. Operation of Dish Network's antennas at this site would not exceed the RF emissions standard adopted by the Federal Communications Commission ("FCC"). Included in the EME report of this filing are the approximation tables that demonstrate that Dish Network's proposed facility will operate well within the FCC RF emissions safety standards.

3. Under ordinary operating conditions, the proposed installation would not require the use of any water or sanitary facilities and would not generate air emissions or discharges to water bodies or sanitary facilities. After construction is complete the proposed installations would not generate any increased traffic to the ATC facility other than periodic maintenance. The proposed shared use of the ATC tower, would, therefore, have a minimal environmental effect, and is environmentally feasible.

D. **Economic Feasibility.** As previously mentioned, Dish Network has entered into an agreement with ATC for the shared use of the existing facility subject to mutually agreeable terms. The proposed tower sharing is, therefore, economically feasible. (Please see included authorization.)

E. **Public Safety Concerns.** As discussed above, the tower is structurally capable of supporting Dish Network's full array three (3) panel antennas, five (5) RRUs, one (1) hybrid fiber lines and all related equipment. Dish Network is not aware of any public safety concerns relative to the proposed sharing of the existing ATC tower.

Conclusion

For the reasons discussed above, the proposed shared use of the existing ATC tower at 428 Platt Hill Road satisfies the criteria state in C.G.S. §16-50aa and advances the General Assembly's and the Council's goal of preventing the unnecessary proliferation of towers in Connecticut. The Applicant, therefore, respectfully requests that the Council issue an order approving the prosed shared use.

Sincerely,

Benjamin Pelletier
Land Use Project Manager
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Elkridge, MD 21075
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Attachments:

Exhibit-1: Letter of Authorization from ATC
Exhibit-2: 428 Platt Hill Road Tax Map
Exhibit-3: Structural Analysis Report
Exhibit-4: General Power Density Table report (RF Emissions Analysis Report)
Exhibit-3: Detailed Construction Drawings

Copies to:

Althea Candy Perez – Mayor for the Town of Winchester
Winchester Town Hall
338 Main Street
Winsted, CT 06611
(860) 379-2713

ATC as Tower and Ground Owner