



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

136 Main Street, Suite 401
New Britain, Connecticut 06051-4225
Phone: 827-7682

Petition No. 333
Metro Mobile CTS of Fairfield County, Inc.
Staff Report
October 20, 1994

On October 7, 1994, Metro Mobile CTS of Fairfield County, Inc. (Metro Mobile) petitioned the Connecticut Siting Council (Council) for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need (Certificate) would be needed to install certain cellular telecommunications antennas on an existing five-story storage/warehouse building located at 370 West Main Street, Stamford, Connecticut. Equipment associated with antenna installation would be located within a 16-foot by 17-foot equipment room on the fifth floor of the building.

Under Regulations of Connecticut State Agencies (RSA) section 16-50j-2a(q) "Tower" means a structure, whether free standing or attached to a building or another structure, that has a height greater than its diameter and that is high relative to its surroundings, or that is used to support antennas for sending or receiving signals to or from satellites, which is or is to be:

- 1) used principally to support one or more antennas for receiving or sending radio frequency signals and
- 2) owned or operated by the State or a public service company as defined in 16-1 of the General Statutes, or used for public cellular radio communications service as defined section 16-50i of the General Statutes of Connecticut.
(emphasis added)

On September 19, 1994, the Council ruled that it did not have jurisdiction to regulate "associated telecommunications equipment" not directly associated with a tower.

Since there is no existing tower nor will there be a tower as defined in RSA 16-50j-2a(q) after the antennas are attached, staff believes that the Council has no jurisdiction in this matter.

Stephen M. Howard
Siting Analyst

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