



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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Petition No. 334
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 Hilton Hotel building located at 18 Old Ridgebury Road, Danbury, Connecticut. Equipment associated with the antenna installation would be located within a 20-foot by 30-foot single story, pre-engineered panel-type building to be placed on the roof of the Hotel.

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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