

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

IN RE: :
 :
 : DOCKET NO. 500
 ARX WIRELESS INFRASTRUCTURE, LLC :
 APPLICATION FOR A CERTIFICATE OF :
 ENVIRONMENTAL COMPATIBILITY AND :
 PUBLIC NEED FOR THE CONSTRUCTION, :
 MAINTENANCE AND OPERATION OF A :
 WIRELESS TELECOMMUNICATIONS :
 FACILITY LOCATED AT 1061-1063 :
 BOSTON POST ROAD, MILFORD, : July 13, 2021
 CONNECTICUT :

**PARTY CITY OF MILFORD SUPPLEMENTAL INTERROGATORIES
TO CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS (“VERIZON”)**

*For ease of reference, the numbering below continues sequentially from
the City’s First Set of Interrogatories to Verizon dated June 1, 2021.*

11. Please confirm that the facility at 1052 Post Road is currently in operation.
12. Please confirm that Verizon’s coverage objectives could be met by placement of a tower at any one of the following sites:
 - a. 1052 Boston Post Road (current hotel site)
 - b. 1201 Boston Post Road (Mall)
 - c. 1212 Boston Post Road (Old Navy)
 - d. 10 Leighton Road (Schick).
13. Please confirm that, if a tower were approved at any of the sites listed in Request 12(a)-(d) above, Verizon could both aim the antennas, and utilize remote electrical tilt (“RET”) capability to optimize the coverage area and avoid overlap with existing cell sites, such as the existing monopole at 311 Old Gate Road.
14. Notwithstanding Verizon’s statement that a multi-site solution “is not the preferred approach,” explain whether Verizon’s coverage objectives could be met with a combination of antennas on the roofs of existing buildings, such as:
 - a. 1052 Boston Post Road (current hotel site)
 - b. 1212 Boston Post Road (Old Navy)
 - c. 10 Leighton Road (Schick)
 - d. 354 North Street (Budderfly).

The following Requests 15a through 15f pertain to the Option and Lease Agreement (hereinafter “Lease”) between Cellco and Turnpike Lodge, Inc. (hereinafter “Lessor”) concerning the site of Verizon’s existing facility at 1052 Boston Post Road (*see* Attachment 1 to Verizon’s Responses to the Council’s First Set of Pre-Hearing Interrogatories):

- 15a. Please identify the precise date on which Cellco exercised its option to lease space for a rooftop communications facility at 1052 Boston Post Road.
- 15b. Please calculate the date on which the current term of the Lease will end based on the provisions of Section 2 (initial five-year term) and Section 3 (three automatic five-year extensions).
- 15c. Please confirm, pursuant to Section 5 of the Lease, that the Lease will automatically renew at the end of the current term, and every five years thereafter, unless either party gives notice of termination at least three months prior to the end of such term.
- 15d. Please confirm, pursuant to Section 5 of the Lease, that the Lease may not be terminated prior to the end of any ensuing five-year term unless either party gives nine-months advance notice (or at least six-months advance notice under the equipment relocation provisions of Section 32).
- 15e. Please confirm that neither Cellco nor the Lessor has issued any notice of termination of the Lease.
- 15f. Please confirm, pursuant to Section 13 of the Lease, that Cellco’s rights under the Lease will not be affected in the event the property is sold by the current Owner/Lessor.

Respectfully submitted,

CITY OF MILFORD

By: /s/ Jeffrey P. Nichols

John W. Knuff, Esq.

Jeffrey P. Nichols, Esq.

Hurwitz, Sagarin, Slossberg
& Knuff, LLC

147 North Broad Street

Milford, CT 06460

Telephone: (203) 877-8000

Fax: (203) 878-9800

jknuff@hssklaw.com

jnichols@hssklaw.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was electronically mailed to the following service list on July 13, 2021:

Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051
siting.council@ct.gov

David A. Ball, Esq.
Philip C. Pires, Esq.
Cohen & Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604
dball@cohenandwolf.com
ppires@cohenandwolf.com

Kenneth C. Baldwin, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597
kbaldwin@rc.com

Kristen Motel, Esq.
Lucia Chiochio, Esq.
Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
kmotel@cuddyfeder.com
lchiochio@cuddyfeder.com

/s/ Jeffrey P. Nichols