

DAVID A. BALL

Please Reply To Bridgeport  
E-Mail: dball@cohenandwolf.com

September 30, 2021

*Via E-Mail and Hand Delivery*

Attorney Melanie Bachman  
Executive Director  
Connecticut Siting Council  
Ten Franklin Square  
New Britain, CT 06051

**Re: DOCKET NO. 503 - Arx Wireless Infrastructure, LLC Application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 43 Osgood Avenue, New Britain, Connecticut.**

Dear Attorney Bachman:

On behalf of the applicant, Arx Wireless Infrastructure, LLC ("ARX"), I've enclosed an original and fifteen (15) copies of the Pre-Filed Testimony of Keith Coppins dated September 30, 2021.

Very truly yours,

David A. Ball

Enclosures

cc: Service List

**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

IN RE:

ARX WIRELESS INFRASTRUCTURE, LLC  
APPLICATION FOR A CERTIFICATE OF  
ENVIRONMENTAL COMPATIBILITY AND  
PUBLIC NEED FOR THE  
CONSTRUCTION, MAINTENANCE AND  
OPERATION OF A  
TELECOMMUNICATIONS FACILITY  
LOCATED AT 43 OSGOOD AVENUE,  
NEW BRITAIN, CONNECTICUT

DOCKET NO. 503

September 30, 2021

**PRE-FILED TESTIMONY OF KEITH COPPINS**

**Q1. Mr. Coppins, this docket has been re-opened for the limited purpose of exploring two potential alternative sites for the telecommunications facility: 148 Farmington Avenue (the “Eversource Property”) and 48 Allen Street, owned by Beth Alom Cemetery Association, Incorporated (the “Cemetery Property”). Since the last hearing, have you undertaken additional efforts to gauge the interest of these respective property owners in leasing their property for purposes of a telecommunications facility?**

A1. Yes I have.

**Q2. Please describe your efforts concerning the Eversource Property.**

A2. Shortly after the last hearing in this docket, on September 10, 2021, I e-mailed Christopher Gelinis, an Eversource representative with whom I’ve discussed many potential sites on Eversource-owned property in the past. I asked Mr. Gelinis whether Eversource would entertain leasing the Eversource Property for purposes of a telecommunications tower.

**Q3. What was Eversource's response to your inquiry?**

A3. Mr. Gelinis told me on the phone that the Eversource Property would not be suitable for a telecommunications tower because of the size of the property and its current use as a substation. On September 13, 2021, Mr. Gelinis sent me an e-mail to advise me that "the particular parcel you identified is not currently available for tower development". He further explained that "[t]he small parcel and minimal amount of excess land beyond the fencing is reserved for potential future use by Eversource (and would not be accessible through the existing substation)." Copies of the e-mail communications between myself and Mr. Gelinis are attached hereto as Exhibit A.

Accordingly, based on my communications with Eversource, the Eversource Property is not available and is not a feasible option for tower development.

**Q4. Please describe your efforts concerning the Cemetery Property.**

A4. The Cemetery Property was included among the fifteen (15) parcels of property that ARX and AT&T investigated as part of the site search for this project. As detailed in Exhibit F to the Application, AT&T sent certified letters to the owner of the Cemetery Property but received no response.

Following the last hearing in this docket, on September 16, 2021, Attorney Skelly e-mailed ARX's counsel contact information for Attorney Seth Feigenbaum who he described as a representative of Beth Alom Cemetery (the "Cemetery"). On

September 23, 2021 – the day the Council re-opened this proceeding - I e-mailed Attorney Feigenbaum to advise him about the pending docket, and to inquire as to whether the Cemetery has an interest in negotiating a lease and locating the tower on its property. Attorney Feigenbaum responded that evening that he was heading to a vacation and that he forwarded my e-mail to his brother, Ira, and that he asked Ira Feigenbaum to contact me.

Unfortunately, Ira Feigenbaum did not promptly contact me. When I did not hear from Ira Feigenbaum, the next day, September 24, 2021, I again e-mailed Attorney Seth Feigenbaum and asked for Ira Feigenbaum's e-mail or phone number so that I could reach out to him directly. Seth Feigenbaum did not respond to me.

On September 28, 2021, after not hearing from anyone, I again e-mailed Seth Feigenbaum and advised him that the hearing on this re-opened docket was scheduled for October 5, 2021, but that I had still not heard from Ira Feigenbaum. I again asked for Ira Feigenbaum's contact information so that I could reach out to him directly.

This morning, I finally heard from Ira Feigenbaum. In an e-mail, he asked me to send to him a proposal that he could discuss with his board. I promptly responded to Ira Feigenbaum this morning with a draft land lease agreement,

and I explained to him that I would like to have some resolution with the Cemetery by October 5, 2021, the date of the Siting Council hearing.

Copies of the e-mail communications between myself and Seth Feigenbaum, and today's e-mail exchange with Ira Feigenbaum are attached hereto as Exhibit B.

**Q5. During the municipal consultation process, did the City of New Britain ("City") suggest that either the Eversource Property or the Cemetery Property would be viable or feasible alternatives to the proposed Site?**

A5. No. During the municipal consultation period – over 10 months ago – on November 17, 2020, Attorney Skelly proposed two alternative sites: 1) a site containing a water tank, which is situated at 1780 Corbin Avenue; and 2) a public park named Osgood Park, which is situated at 470 Osgood Avenue. Neither of these sites proved to be viable alternatives. The first time the Eversource Property or the Cemetery Property were suggested by the City as potential alternative locations was after the conclusion of the evidentiary hearings in this docket. Clearly the Eversource Property is not available as a viable alternative, and I am now waiting for the Cemetery's response to ARX's proposed land lease agreement.

**Q6. Does this conclude your testimony?**

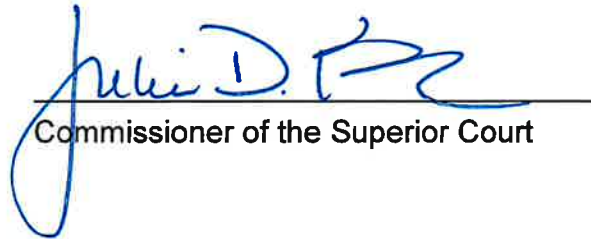
A6. Yes.

I hereby affirm that the foregoing is true and correct to the best of my knowledge.



\_\_\_\_\_  
Keith Coppins

Sworn to and subscribed before me this 30 day of September, 2021.



\_\_\_\_\_  
Commissioner of the Superior Court

# **EXHIBIT A**

**From:** "Gelin, Christopher" <[christopher.gelin@eversource.com](mailto:christopher.gelin@eversource.com)>  
**Date:** September 13, 2021 at 8:20:24 AM EDT  
**To:** Keith Coppins <[kcoppins@arxwireless.com](mailto:kcoppins@arxwireless.com)>  
**Subject:** Eversource parcel - 148 Farmington Ave, New Britain

Good morning, Keith

Thanks for reaching out.

Eversource does make land available for cell tower development in all states of operation.

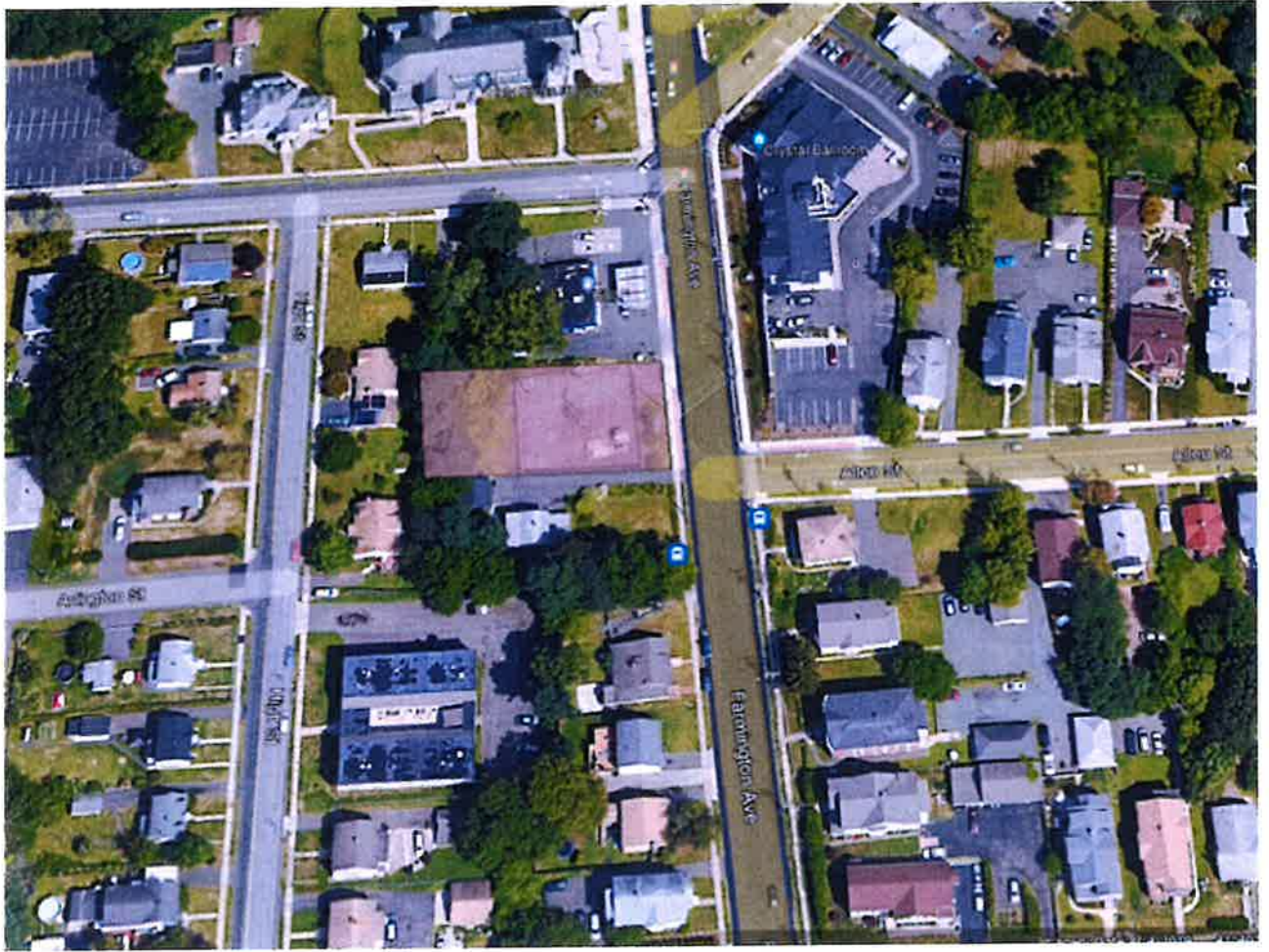
However, the particular parcel you identified is not currently available for cell tower development:  
148 Farmington Ave  
New Britain

148 Farmington Ave, New Britain is a 0.34 acre parcel of land which is used as a substation.

The small parcel and minimal amount of excess land beyond the fencing is reserved for potential future use by Eversource (and would not be accessible through the existing substation).







089-003.pdf

Map Block Lot	C5C/ 100/ / /
Town Parcel ID	606
State GIS ID	N/A
Tax Card ID	089-003
Parcel Source	Town Data
Site Address	148 FARMINGTON AVE
Address Number	148
Address Location	FARMINGTON AVE
City	NEW BRITAIN
State	CT
Postal Zip 5	06053
County	HARTFORD COUNTY
Primary Owner	CL&P
Secondary Owner	N/A
Postal Address	107 SELDEN ST
Postal City	BERLIN
Postal State	CT
Postal Zip 5	06037
Book	338
Page	511
Grantor	CONNECTICUT LIGHT + POWER CO
Legal Reference Date	07/12/1950
Deed Type	N/A
Prior Book and Page	325/553; 324/ 514
Prior Grantor	THE CONNECTICUT LIGHT + POWER; R B CULVER
Prior Legal Reference Date	08/11/1948; 04/15/1948
Assessed Land Value	32620
Total Assessed Value	32620
Assessed Acres	0.34
GIS Acres	0.337592
Number of Buildings Present	0
Land Use Code	1300
Land Use Description	RES ACLNDV
Zoning Code	A2
Zoning Description	MULTI FAMILY HOUSING
ROW Number	N/A
Line Number	N/A
Company ID	N/A

Thanks again for reaching out. If you have interest in parcels in the future, we're happy to review.

Best regards,

Christopher Gelinias  
Senior Specialist – Real Estate  
107 Selden Street  
Berlin, CT 06037  
Office: (860) 665-2008  
E-Mail: [Christopher.Gelinias@Eversource.com](mailto:Christopher.Gelinias@Eversource.com)



*This communication is not intended and shall not be construed as constituting an offer or acceptance of any terms or conditions discussed herein, nor shall it create a binding legal agreement between the parties.*

*Any information contained herein is presented for discussion purposes only.*

**From:** Gelinias, Christopher  
**Sent:** Monday, September 13, 2021 7:55 AM  
**To:** Keith Coppins <[kcoppins@arxwireless.com](mailto:kcoppins@arxwireless.com)>  
**Subject:** RE: Property in New Britain

Morning Keith

All is well her, hope the same on your side.

I was at site walks in Boston Friday and missed your call – I owe you a call

Do you have an address (or nearby address) for this location in New Britain.

I'll take a look and get right back to you

Chris

Christopher Gelinias  
Senior Specialist – Real Estate  
107 Selden Street  
Berlin, CT 06037  
Office: (860) 665-2008  
E-Mail: [Christopher.Gelinias@Eversource.com](mailto:Christopher.Gelinias@Eversource.com)



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*Any information contained herein is presented for discussion purposes only.*

**From:** Keith Coppins <[kcoppins@arxwireless.com](mailto:kcoppins@arxwireless.com)>  
**Sent:** Friday, September 10, 2021 6:49 PM  
**To:** Gelinias, Christopher <[christopher.gelinias@eversource.com](mailto:christopher.gelinias@eversource.com)>  
**Subject:** Property in New Britain

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Chris,

I hope all is well. We had a CSC meeting last week and the City of New Britain asked us during the hearing if we looked at an Eversource property on Farmington Ave in New Britain. I have attached the property photo for your reference. Is this a property that you would entertain in leasing land for a tower. If not its good as we have another site which the hearing was closed on Thursday last week. Let me know your thoughts.

**Keith Coppins**

Managing Director



110 Washington Avenue

North Haven, CT 06473

Mobile: (203) 623-3287

Email: [kcoppins@arxwireless.com](mailto:kcoppins@arxwireless.com)

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## **EXHIBIT B**

**From:** Keith Coppins <[kcoppins@arxwireless.com](mailto:kcoppins@arxwireless.com)>  
**Sent:** Thursday, September 23, 2021 7:11 PM  
**To:** [sethfeig@gmail.com](mailto:sethfeig@gmail.com)  
**Cc:** Ball, David A. <[DBall@cohenandwolf.com](mailto:DBall@cohenandwolf.com)>  
**Subject:** Beth Alom Cemetery 48 Allen St New Britain, CT  
**Importance:** High

Good Evening Seth,

My name is Keith Coppins and I am the managing director of ARX wireless. ARX is a wireless infrastructure company working with the wireless carriers in CT. We currently have a Docket with the Connecticut Siting Council to construct a 100' tower in New Britain at 43 Osgood St in New Britain. We have had two hearings on the project and on September 2 after the second hearing, the hearing was closed. The City of New Britain asked during the second hearing if ARX had reached out to Beth Alom Cemetery at 48 Allen St, to which we replied "yes on several occasions". Our letters have remained unanswered. The city reached out to you as a representative of the cemetery as noted in an email on September 16, 2021. On September 23 the CSC reopened the hearing with the limitation of looking at two locations. We at ARX are reaching out to you to see if the cemetery has an interest in locating the tower site on its property at the location above. The new hearing is scheduled for October 5 at 2 pm. If the cemetery is interested in locating a site, we will need to negotiate a lease and location for the tower prior to the hearing. Thank you for your time and we look forward to working with you.

**Keith Coppins**  
Managing Director



110 Washington Avenue  
North Haven, CT 06473  
Mobile: (203) 623-3287  
Email: [kcoppins@arxwireless.com](mailto:kcoppins@arxwireless.com)

**From:** Seth Feigenbaum <[sethfeig@gmail.com](mailto:sethfeig@gmail.com)>  
**Date:** September 23, 2021 at 7:30:24 PM EDT  
**To:** Keith Coppins <[kcoppins@arxwireless.com](mailto:kcoppins@arxwireless.com)>  
**Subject:** Re: Beth Alom Cemetery 48 Allen St New Britain, CT

Good evening KEITH, I'm on a plane to London for vacation I have sent this email to my brother Ira and asked that he contact you

Sent from my iPhone

On Sep 23, 2021, at 7:11 PM, Keith Coppins <[kcoppins@arxwireless.com](mailto:kcoppins@arxwireless.com)> wrote:

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Thank you for your time and we look forward to working with you.

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<image001.jpg>  
110 Washington Avenue  
North Haven, CT 06473  
Mobile: (203) 623-3287  
Email: [kcoppins@arxwireless.com](mailto:kcoppins@arxwireless.com)



**From:** Keith Coppins <[kcoppins@arxwireless.com](mailto:kcoppins@arxwireless.com)>  
**Sent:** Friday, September 24, 2021 4:50 PM  
**To:** Seth Feigenbaum <[sethfeig@gmail.com](mailto:sethfeig@gmail.com)>  
**Cc:** Ball, David A. <[DBall@cohenandwolf.com](mailto:DBall@cohenandwolf.com)>; Pires, Philip C. <[PPires@cohenandwolf.com](mailto:PPires@cohenandwolf.com)>  
**Subject:** RE: Beth Alom Cemetery 48 Allen St New Britain, CT

Seth,  
I hate to bother you on your vacation. If you will send me Ira's email or phone number, I will contact him directly and allow you to enjoy your vacation.  
Thanks.

**Keith Coppins**  
Managing Director



110 Washington Avenue  
North Haven, CT 06473  
Mobile: (203) 623-3287  
Email: [kcoppins@arxwireless.com](mailto:kcoppins@arxwireless.com)

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**Sent:** Thursday, September 23, 2021 7:30 PM  
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**From:** Keith Coppins <[kcoppins@arxwireless.com](mailto:kcoppins@arxwireless.com)>  
**Sent:** Tuesday, September 28, 2021 12:06 PM  
**To:** Seth Feigenbaum <[sethfeig@gmail.com](mailto:sethfeig@gmail.com)>  
**Cc:** Ball, David A. <[DBall@cohenandwolf.com](mailto:DBall@cohenandwolf.com)>  
**Subject:** RE: Beth Alom Cemetery 48 Allen St New Britain, CT

Seth,

Good Afternoon,

As you are aware from my email below, the CSC reopened the hearing and is scheduled for October 5 at 2 pm. This reopening is limited to looking at two properties along Allen Street and Farmington Avenue in New Britain. Per your response email, you were going to have your brother Ira reach out to me with regards to the Beth Alom Cemetery on Allen St. As of today we have not hear from him and I would like to have some response to the CSC next Tuesday. If you provide me with Ira's contact information, I will gladly reach out to him.

Thanks and I look forward to hearing from you.

**Keith Coppins**

Managing Director



110 Washington Avenue

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Email: [kcoppins@arxwireless.com](mailto:kcoppins@arxwireless.com)

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**Keith Coppins**

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<image001.jpg>

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**From:** Keith Coppins <[kcoppins@arxwireless.com](mailto:kcoppins@arxwireless.com)>  
**Sent:** Thursday, September 30, 2021 10:03 AM  
**To:** Ira Feigenbaum <[iradeb4@yahoo.com](mailto:iradeb4@yahoo.com)>  
**Cc:** Ball, David A. <[DBall@cohenandwolf.com](mailto:DBall@cohenandwolf.com)>  
**Subject:** RE: Tower

Good Morning Ira,  
Thank you for your response. I have attached a proposed lease with will lay out all the details of what we need to put a tower on the property. I took the liberty to propose a location on the property, but that can if you and the board think there is a better location on the property. All power and fiber will be installed underground.

As I mentioned to your brother, we have a hearing on the reopening of Docket 503 on October 5 with a limited discussion for your property located at 48 Allen St. I would like to have some type of resolution by then if at all possible. Please feel free to contact me with any questions or comments.

**Keith Coppins**  
Managing Director



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**Sent:** Thursday, September 30, 2021 8:06 AM  
**To:** Keith Coppins <[kcoppins@arxwireless.com](mailto:kcoppins@arxwireless.com)>  
**Subject:** Tower

Hello Keith

Please send me a proposal so that we can have a discussion with our board. The board is volunteers and we would need to have a proposal from you as a starting point.

Thank you.

Ira  
Ira Feigenbaum  
[iradeb4@yahoo.com](mailto:iradeb4@yahoo.com)

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