

# brownrudnick

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August 26, 2021

## **VIA E-MAIL & 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**

**New Cingular Wireless PCS LLC's (AT&T) Pre-Hearing Supplemental Submission**

Dear Attorney Bachman:

On behalf of New Cingular Wireless PCS, LLC (“AT&T”), please find enclosed an original and 15 copies of our Pre-Hearing Supplemental Submission.

Sincerely,

/s/ Thomas J. Regan  
Thomas J. Regan

Encl.

cc: Service List

64141986 v1-WorkSiteUS-024519/1567

**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

**IN RE:**

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

DOCKET NO. 503

August 26, 2021

**PRE-HEARING SUPPLEMENTAL SUBMISSION BY INTERVENOR  
NEW CINGULAR WIRELESS PCS, LLC d/b/a AT&T**

New Cingular Wireless PCS, LLC d/b/a AT&T, an Intervenor in this proceeding, hereby submits to the Connecticut Siting Council (the "Council") the following information prior to the September 2, 2021 public hearing in this docket.

A. Witness (resume attached)

1. Daniel Bilezikian, Site Acquisition Specialist, SAI Communications, LLC

B. Exhibits to be Offered

1. Witness Resume, submitted herewith.
2. Supplemental Pre-Filed Testimony of Radio Frequency Engineer Martin J. Lavin, submitted herewith.
3. AT&T's responses to Interrogatories from the City of New Britain dated July 22, 2021, submitted herewith.
4. AT&T's responses to request for information contained in the Council's memorandum dated July 21, 2021, submitted herewith.

AT&T reserves the right to offer additional exhibits, testimony witnesses and administratively noticed materials as may be necessary during the public hearing.

Respectfully submitted,

NEW CINGULAR WIRELESS d/b/a AT&T

By: /s/ Thomas J. Regan  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this day, August 26, 2021, an electronic copy of the foregoing was sent to the Connecticut Siting Council and:

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/s/ Thomas J. Regan  
Thomas J. Regan, Esq.

cc: Brian Leyden, AT&T  
Lynn Brady, AT&T  
Edward D. Pare, Jr.  
SAI Group, LLC  
C Squared Systems, LLC

# EXHIBIT B1

# DANIEL BILEZIKIAN

## SUMMARY

Seasoned telecommunications professional with 19 years of experience identifying, leasing, zoning, and permitting cellular sites in the challenging, dynamic New England market. Strong negotiator skilled at achieving business objectives and deadlines through extensive cross-functional coordination among lessors, engineering and compliance services, and outside counsel. Highly organized, excellent communicator with the ability to effectively manage time within aggressive project schedules.

## PROFESSIONAL EXPERIENCE

### SITE ACQUISITION SPECIALIST, SAI COMMUNICATIONS, INC.

April 2002 - Present

- Identifies viable cell site candidates and oversees leasing, zoning, and permitting for AT&T in the Eastern Massachusetts, Rhode Island, and Connecticut markets.
- Supports projects end-to-end by coordinating engineering and regulatory compliance services, interfacing with outside counsel regarding zoning and leasing, preparing zoning applications, presenting at zoning hearings, and obtaining all necessary permits
- Coordinates preparation of Connecticut Siting Council (CSC) filings and providing testimony at CSC proceedings
- Past and present assignments include:
  - Both new site builds and relocations, many in difficult zoning jurisdictions
  - Equipment upgrades (UMTS, LTE) to existing sites
  - oDAS (Martha's Vineyard)
  - Regulatory compliance for IDAS systems (Harvard, MIT, and Logan Airport)
  - Site decommissioning (managed SAI decom project post-Cingular/AT&T merger)
  - Small cell (identification, and selection of infrastructure for projects in RI and Cape Cod)
  - Special projects including COWs (cell-on-wheels) and temporary WiFi installations at the Boston Marathon, Fourth of July/Boston Pops celebration, CVS/Caremark Golf Classic, and America's Cup Trials.

### SITE ACQUISITION SPECIALIST, AMERICAN TOWER CORP.

March 2001 - April 2002

- Performed on in-house site acquisition consulting team serving Cingular Wireless in the Massachusetts market
- Coordinated identification, leasing, zoning, and permitting of sites
- Arranged subcontractor engineering services and all other due diligence

### PRINCIPAL, ENVIRO-TECH DRILLING, INC.

January 1987 - February 2001

- Founded and managed environmental/geotechnical drilling firm
- Performed test borings, soil sampling, and monitor well installation throughout New England and New York

### PRODUCTION GEOLOGIST, SHELL OIL COMPANY, NEW ORLEANS, LA/BAKERSFIELD, CA

January 1981 - June 1986

- Implemented development of proven oil and gas reserves in South Texas and the San Joaquin Valley, CA.

## EDUCATION

UNIVERSITY OF ARIZONA, TUCSON, AZ

B.S. Geological Engineering (1980)

# EXHIBIT B2

**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

**IN RE:**

APPLICATION BY ARX WIRELESS  
INFRASTRUCTURE, LLC FOR A CERTIFICATE OF  
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DOCKET NO. 503

August 26, 2021

**SUPPLEMENTAL PRE-FILED TESTIMONY OF  
MARTIN J. LAVIN ON BEHALF OF INTERVENOR  
NEW CINGULAR WIRELESS PCS, LLC d/b/a AT&T**

Intervenor New Cingular Wireless PCS, LLC d/b/a AT&T hereby submits to the Connecticut Siting Council (the "Council") the following pre-filed testimony of Martin J. Lavin prior to the September 2, 2021 public hearing in this docket.

Q1. Mr. Lavin, please state your name and position?

*A1. My name is Martin J. Lavin, and I am a radio frequency engineer employed by C Squared representing AT&T in this instance regarding the Application submitted in this docket.*

Q2. Did you testify on behalf of AT&T, under oath, at the Council hearing on July 20, 2021?

*A2. Yes.*

Q3. Do you understand that you remain under oath when submitting this pre-filed testimony?

*A3. Yes.*

Q4. Did you prepare the Radio Frequency Analysis Report (the "Report") on behalf of AT&T submitted with the Application and is at Tab 3 of the Application?

A4. Yes.

Q5. During the public hearing held by the Council on July 20, 2021 (the "Hearing"), do you recall inquiries from a member of the Council regarding alternative site locations as potential replacements to the proposed wireless facility located at 43 Osgood Avenue, New Britain, CT (the "Site"), namely locations with GPS coordinates and street addresses of: 41.688394, -72.807143 – The DiLoreto School at 732 Slater Road, New Britain CT; and, 41.684791, -72.809790 – The CREC Academy of Science and Innovation on Alton Brooks Way, New Britain, CT?

A5. Yes.

Q6. Since the Hearing, have you reviewed and analyzed those alternative site locations and reached a conclusion whether a wireless facility at either of said alternative locations would replace the coverage from a wireless facility at the Site?

A6. Yes.

Q7. Would you provide a summary of your review, analysis and conclusions with respect to a wireless facility at each alternative site location as an alternative to the proposed wireless facility at the Site?

A7. *A wireless facility at either of the alternative locations would not replace the proposed coverage from a wireless facility at the Site. AT&T has an existing wireless facility at the DiLoreto School which is referenced as AT&T site CT5419 in the Report and on the associated coverage maps submitted with the Report. As evidenced in the Report, even with the existing wireless facility at the DiLoreto School, AT&T still has a significant gap in coverage near the Site. Similarly, a wireless facility along Alton Brooks Way would be too far from the existing significant coverage gap to provide the necessary coverage and would also be too close to the existing wireless facility at the*



*DiLoreto School. AT&T needs a wireless facility at both the DiLoreto School location and the Site.*

Q8. During the Hearing, questions were raised about the use of small cell facilities to address the significant gap in coverage in the area of the Site. In your expert opinion, would small cell facilities be an effective, efficient and feasible means to replace the proposed "macro" facility at the Site and provide the necessary coverage to fill the existing gap in coverage; and please provide a summary of your analysis and opinion.

A8. *Based on my review, knowledge of AT&T's small cell facility technology and overall experience with small cell facilities, small cell facilities would not be an effective, efficient or feasible replacement for the "macro" wireless facility proposed at the Site in this instance and would likely leave significant gaps in coverage. By "macro" wireless facilities, I refer to wireless facilities with a full deployment of antennas, equipment and backup power, typically attached to towers or other tall structures and designed to provide a large geographic footprint of coverage where significant gaps exist. Small cell facilities are useful to provide capacity and coverage to small, and discrete or difficult areas when "macro" wireless facilities are not needed or appropriate to provide the capacity and coverage. Small cell facilities are best deployed to densify a wireless network by offloading the network traffic from nearby macro sites onto the small cell facilities because the two technologies work in tandem. The ideal areas for the deployment of small cell facilities are highly concentrated population urban areas where the network requires capacity which can be addressed by these low power, lower height small cell facilities in the specific areas in need of capacity.*

*Generally, macro wireless facilities need to be approximately one (1) mile apart before small cell facilities can effectively fill in capacity and coverage needs. Macro*

wireless facilities are the most efficient and effective way to fill significant gaps in coverage by providing a footprint of coverage over a large geographic area. Small cell facilities do play a role in a wireless network but only have approximately one-sixth ( $1/6^{\text{th}}$ ) to one-ninth ( $1/9^{\text{th}}$ ) of the capacity of a macro wireless facility and the coverage footprint is typically, depending on terrain and vegetation, a radius of only one-tenth ( $1/10^{\text{th}}$ ) to one-quarter ( $1/4$ ) of a mile. While useful for providing capacity to AT&T's network, using small cell facilities to cover a wide geographic area is not effective or efficient and, in my opinion, not appropriate or feasible to provide coverage. I note that small cell facilities do not have backup power due to the limitations of using existing or proposed utility poles in the public rights of way. The low power output and lower height of small cell facilities combine to restrict the amount of coverage provided. Likewise, the availability of utility poles for small cell facilities are physically limited by existing wires, attachments, streetlights and transformers on the utility poles. Many utility poles cannot accommodate a small cell installation. Also, a minor shift in the location of any particular small cell facility impacts the entire design due to the small footprint in coverage, potentially leaving gaps in coverage.

AT&T highlights the importance of providing reliable wireless coverage, especially in light of the need to provide data and broadband speeds to the many residents working from home during the COVID emergency. As an FCC-licensed provider of wireless services, AT&T is in the best position to design and deploy the most feasible wireless technologies to provide the best network experience for its customers. AT&T certainly supports the use of small cell facilities and has proposed and deployed many small cell facilities in the State of Connecticut, and will continue to do so where appropriate. In fact, AT&T currently has two (2) small cell facilities installed in New

*Britain and approximately 150 small cell facilities on air in the State of Connecticut, with more planned for deployment in the future.*

*With respect to the wireless facility at the Site, AT&T seeks to provide coverage to a large geographic area near the Site including 0.6 square miles of area, over 5,000 residents, businesses with over 400 employees and 4.2 miles of roadways. While the Site may be urban in nature, the large footprint of coverage required to address the significant gap in coverage cannot practicably and effectively be addressed with small cell facilities. The use of small cell facilities in this area would not be efficient, effective or feasible to provide the coverage comparable to the proposed macro wireless facility at the Site.*

Q9. In your expert, professional opinion, are small cell facilities an effective, efficient or feasible alternative to the proposed wireless facility at the Site?

A9. No.

Q10. Does this conclude your testimony?

A10. Yes.

To the best of my knowledge, the above testimony is true and complete.

Date: August 26, 2021



Martin J. Lavin

Subscribed and sworn to me this 26th day of August 2021.

Notary Public: 

Commission Expires: 7-17-2024

**CERTIFICATE OF SERVICE**

I hereby certify that on this day, August 26, 2021, an electronic copy of the foregoing was sent to the Connecticut Siting Council and:

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/s/ Thomas Regan  
Thomas J. Regan, Esq.

cc: Brian Leyden, AT&T  
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Edward D. Pare, Jr.  
SAI Group, LLC  
C Squared Systems, LLC

## EXHIBIT B3

**STATE OF CONNECTICUT  
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**IN RE:**

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DOCKET NO. 503

August 26, 2021

**RESPONSES OF INTERVENOR NEW CINGULAR WIRELESS PCS, LLC**  
**d/b/a AT&T TO INTERVENOR CITY OF NEW BRITAIN**  
**INTERROGATORIES DATED JULY 22, 2021**

Intervenor, New Cingular Wireless PCS, LLC d/b/a AT&T ("AT&T") submits the following responses to Intervenor City of New Britain's Interrogatories dated July 22, 2021.

- Q1. For the existing cell tower structure located at 723 Farmington Avenue, New Britain, CT and .92 miles from 43 Osgood Avenue, and identified in the document entitled "Existing Adjacent Towers" in Exhibit F, has either the Applicant or Intervenor [AT&T] investigated this site to determine if this telecommunications facility would satisfy the Intervenor's [AT&T] wireless service objective; and
- A1. *Yes. AT&T actually installed a wireless facility at the tower located at 723 Farmington Avenue in New Britain, Connecticut (the "Tower") several years ago. AT&T operates and maintains a wireless facility at the Tower which is identified as AT&T site "CT1028" in the Radio Frequency Analysis Report dated October 23, 2020 and identified in the record as Tab "E" of the Application (see pages 7-8). The black star to the north of the proposed site at 43 Osgood Avenue (represented by the yellow star) represents the Tower's location (see page 9 of Tab "E" of the Application).*
- Q2. If the answer to Interrogatory No. 1 is yes, explain why the existing telecommunications facility located at 723 Farmington Avenue, New Britain, CT would not satisfy the Intervenor's [AT&T] wireless service objectives.
- A2. *As evidence by AT&T's existing coverage map on page 9 of Tab "E" of the Application, AT&T's existing wireless telecommunications facility at the Tower does not provide the necessary coverage to fill the existing significant gaps in coverage that the proposed facility at 43 Osgood Avenue will fill. In other words,*

*AT&T needs both wireless facilities to provide adequate coverage in this area of New Britain, CT.*

Respectfully submitted,

New Cingular Wireless PCS, LLC

By: /s/ Thomas J. Regan

Thomas J. Regan, Esq.

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**CERTIFICATE OF SERVICE**

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/s/ Thomas J. Regan  
Thomas J. Regan, Esq.

cc: Brian Leyden, AT&T  
Lynn Brady, AT&T  
Edward D. Pare, Jr.  
SAI Group, LLC  
C Squared Systems, LLC



# EXHIBIT B4

**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

**IN RE:**

APPLICATION BY ARX WIRELESS  
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43 OSGOOD AVENUE,  
NEW BRITAIN, CONNECTICUT

DOCKET NO. 503

August 26, 2021

**RESPONSES OF INTERVENOR NEW CINGULAR WIRELESS PCS, LLC  
d/b/a AT&T TO CONNECTICUT SITING COUNCIL'S  
REQUEST FOR LATE-FILED EXHIBITS**

In a memorandum dated July 21, 2021, the Connecticut Siting Council (the "Council") requested that AT&T submit the following information as late-filed exhibits.

1. Provide the sum of the existing 700 MHz secondary roadway coverage gaps that are associated with 3.9 miles of proposed incremental secondary road coverage noted on page 4 of the Radio Frequency Analysis Report under Tab E of the Application;

*Response: The following table represents the new coverage to secondary roads as noted on page 4 of the Radio Frequency Analysis Report under Tab E of the Application. Due to rounding, the length in miles below totals 3.6 miles.*

<b>Street Name</b>	<b>Length (miles)</b>
Eddy Glover Blvd	0.9
Commonwealth Ave	0.4
Lasalle St	0.3
McClintock St	0.2
Governor St	0.2
Osgood Ave	0.2
High St	0.1
Lawlor St	0.1
Worthington St	0.1
Wainwright Dr	0.1
Walker Rd	0.1
Lasalle Ct	0.1
Patton Rd	0.1

Francis St	0.1
Curtin St	0.1
Hawthorne St	0.1
Miller St	0.1
Tremont St	0.1
Highview Ave	0.1
Lucyan St	0.1

2. Explain why the proposed facility would not fully cover the area to the east in the vicinity of Eddy Glover Boulevard; and

*Response: As depicted on the attached Exhibit "A" entitled "Terrain Profile – Proposed Site to Corner of Allen and Derby" (the "Profile"), there is a hill which blocks AT&T's signal from effectively providing extensive coverage to the east of 43 Osgood Avenue, New Britain, CT, especially in the vicinity of Allen Street and McClintock Street approximately ½ mile southeast of the proposed site.*

3. Explain if a telecommunications facility at 52 Derby Street, New Britain would meet AT&T's wireless service objectives or not.

*Response: We hereby incorporate herein our response to item 2 above. A hypothetical telecommunications facility at 52 Derby Street, New Britain, CT would be approximately 150' lower in elevation than the proposed telecommunications facility at 43 Osgood Avenue, New Britain, CT. As depicted in the attached Profile, there is a hill between the two locations that prevents continuous coverage and therefore would not meet AT&T's wireless service objectives.*

Respectfully submitted,

New Cingular Wireless PCS, LLC

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/s/ Thomas J. Regan

Thomas J. Regan, Esq.

cc: Brian Leyden, AT&T  
Lynn Brady, AT&T  
Edward D. Pare, Jr.  
SAI Group, LLC  
C Squared Systems, LLC

# EXHIBIT A

Terrain Profile - Proposed Site to Corner of Allen and Derby

