

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

RE: APPLICATION BY ARX WIRELESS
INFRASTRUCTURE LLC FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED
FOR A TELECOMMUNICATIONS FACILITY
AT 43 OSGOOD AVENUE IN THE
CITY OF NEW BRITAIN, CONNECTICUT

DOCKET NO. 503

Date: July 1, 2021

CITY OF NEW BRITAIN'S PETITION SEEKING INTERVENOR STATUS

Pursuant to C.G.S. Sec. 16-50n(b) and Sec. 4-177a(b), *et. seq.*, the City of New Britain hereby submits its written petition to the State of Connecticut Siting Council seeking status as an intervenor in the above referenced case relative to the Application by ARX Wireless Infrastructure LLC for a Certificate of Environmental Compatibility and Public Need for a Telecommunications Facility at 43 Osgood Avenue in New Britain, Connecticut.

According to Sec. 16-50n(b), the Siting council "may permit any person to participate as an intervenor, in accordance with the provisions of section 4-177a, in a certification or amendment proceeding or a declaratory ruling proceeding," Sec. 4-177a(b) provides that the presiding officer of the Siting Council "may grant any person status as an intervenor in a contested case if that officer finds that: (1) Such person has submitted a written petition to the agency and mailed copies to all parties, at least five days before the date of hearing; and (2) the petition states facts that demonstrate that the petitioner's participation is in the interests of justice and will not impair the orderly conduct of the proceedings."

According to the Siting Council's Notice of Hearing in this case dated June 7, 2021, any party seeking intervenor status to this case may file a written request to be so designated on or before July 13, 2021 for the hearing to take place before the Siting Council on July 20, 2021. The City of New Britain submitted this petition to the Siting Council and served a copy to all appearing parties on July 1, 2021, and thus complied with both Sec. 4-177a(b) and the Siting Council's hearing notice.

Further, the City of New Britain's participation in the hearing with respect to this application will clearly serve the interests of justice and will not impair the orderly conduct of the proceedings. The City of New Britain's participation at the hearing as an intervenor will allow the City to introduce critical information into the record. As discussed in the City of New Britain's objection submitted to the Siting Council on May 28, 2021, the building located at 43 Osgood Avenue was constructed one hundred and sixteen years ago in 1905 and previously housed the former Israel Putnam Elementary School. While not listed on the National Register of Historic Places or located in a historic district, this building would unquestionably qualify for historical status if that designation was requested. Further, in addition, to the historical aspect of the building, we also have concerns because this building is in the middle of a residential neighborhood. There are issues such as the possibility for reduction of property values, potential harm from radiofrequency emissions, etc.

Moreover, based on the documentation provided by the Applicant, there are already eight (8) existing AT&T cell towers located within the 13.4 square

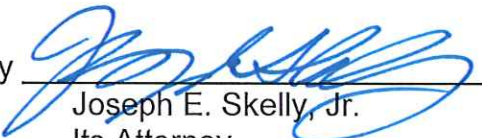
miles of the City of New Britain. There has been no offer of proof which demonstrates that a significant public need exists in this area of the City of New Britain for improved wireless services and the proposed facility would clearly have a substantial adverse effect.

WHEREFORE, the City of New Britain respectfully requests that the presiding officer of the Siting Council grant the City of New Britain status as an intervenor in this case.

CITY OF NEW BRITAIN,

By Office of Corporation Counsel

By



Joseph E. Skelly, Jr.
Its Attorney

CERTIFICATION OF SERVICE

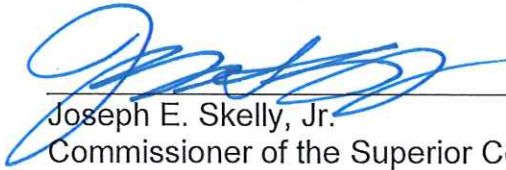
This is to certify that a copy of this Petition has been mailed on July 1, 2021

via certified mail and delivered electronically as follows:

Connecticut Siting Council
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Joseph E. Skelly, Jr.
Commissioner of the Superior Court