

1                   STATE OF CONNECTICUT  
2                   CONNECTICUT SITING COUNCIL

3  
4                   Docket No. 503

5   **Arx Wireless Infrastructure, LLC application for a**  
6       **Certificate of Environmental Compatibility and**  
7       **Public Need for the construction, maintenance,**  
8       **and operation of a telecommunications facility**  
9           **located at 43 Osgood Avenue, New Britain,**  
10           **Connecticut.**

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12  
13                   **VIA ZOOM AND TELECONFERENCE**

14  
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16                   **Public Hearing held on Tuesday,**  
17                   **July 20, 2021, beginning at 2 p.m.**  
18                   **via remote access.**

19  
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21   **H e l d   B e f o r e:**

22                   **EDWARD EDELSON, Presiding Officer**

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24  
25                   **Reporter: Lisa L. Warner, CSR #061**

1   **A p p e a r a n c e s:**

2  
3   **Council Members:**

4       **ROBERT HANNON**  
5        Designee for Commissioner Katie Dykes  
6        Department of Energy and Environmental  
7        Protection

8       **QUAT NGUYEN**  
9        Designee for Chairman Marissa Paslick  
10       Gillett  
11       Public Utilities Regulatory Authority

12       **ROBERT SILVESTRI**  
13       **DANIEL P. LYNCH, JR.**  
14       **LOUANNE COOLEY**

15  
16   **Council Staff:**

17       **MELANIE BACHMAN, ESQ.**  
18        Executive Director and  
19        Staff Attorney

20       **MICHAEL PERRONE**  
21        Siting Analyst

22       **LISA FONTAINE**  
23        Fiscal Administrative Officer

24  
25   **For Applicant Arx Wireless Infrastructure,**  
  **LLC:**

**COHEN & WOLF, P.C.**  
      1115 Broad Street  
      Bridgeport, Connecticut 06604  
      BY: **DAVID A. BALL, ESQ.**  
          **PHILIP C. PIRES, ESQ.**

1     **A p p e a r a n c e s: (Cont'd)**

2  
3     **For Intervenor, New Cingular Wireless PCS,**  
4     **LLC (AT&T):**  
5         **BROWN RUDNICK LLP**  
6         **185 Asylum Street**  
7         **Hartford, Connecticut 06103**  
8         **BY: THOMAS J. REGAN, ESQ.**

9  
10     **For Party, City of New Britain:**  
11     **OFFICE OF CORPORATION COUNSEL**  
12     **City of New Britain**  
13     **27 West Main Street**  
14     **New Britain, Connecticut 06051**  
15     **BY: JOSEPH E. SKELLY, JR., ESQ.**

16  
17     **Also present: Aaron Demarest, Zoom co-host**

18     **\*(AUDIO INTERRUPTION) - denotes breaks in speech**  
19     **due to interruptions in audio or echo.**

20     **\*\*All participants were present via remote access.**

1 MR. EDELSON: Good afternoon, ladies  
2 and gentlemen. Good afternoon. This remote  
3 public hearing is called to order this Tuesday,  
4 July 20, 2021 at 2 p.m. My name is Ed Edelson,  
5 member and presiding officer for the Connecticut  
6 Siting Council. Other members of the Council are  
7 Robert Hannon, designee for Commissioner Katie  
8 Dykes of the Department of Energy and  
9 Environmental Protection; Quat Nguyen, designee  
10 for Chairman Marissa Paslick Gillett of the Public  
11 Utilities Regulatory Authority; Robert Silvestri;  
12 Daniel P. Lynch; and Louanne Cooley.

13 Members of the staff who I believe are  
14 with us are Melanie Bachman, executive director  
15 and staff attorney; Michael Perrone, the siting  
16 analyst; and Lisa Fontaine, our fiscal  
17 administrative officer.

18 Please note there is currently a  
19 statewide effort to prevent the spread of the  
20 Coronavirus. This is why the Council is holding  
21 this remote public hearing, and we ask for your  
22 patience. If you haven't done so already, I ask  
23 that everyone please mute their computer audio or  
24 telephone now.

25 This hearing is held pursuant to the

1 provisions of Title 16 of the Connecticut General  
2 Statutes and of the Uniform Administrative  
3 Procedure Act upon an application from Arx  
4 Wireless Infrastructure, LLC for a Certificate of  
5 Environmental Compatibility and Public Need for  
6 the construction, maintenance, and operation of a  
7 telecommunications facility located at 43 Osgood  
8 Avenue, New Britain, Connecticut. This  
9 application was received by the Council on May 14,  
10 2021.

11           The Council's legal notice of the date  
12 and time of this remote hearing was published in  
13 The Hartford Courant on June 9, 2021. Upon this  
14 Council's request, the applicant installed a sign  
15 in the vicinity of the proposed site so as to  
16 inform the public of the name of the applicant,  
17 the type of facility, the remote public hearing  
18 date, and contact information for the Council,  
19 including the website and phone number.

20           As a reminder to all, off-the-record  
21 communication with a member of the Council or a  
22 member of the Council staff upon the merits of  
23 this application is prohibited by law.

24           The parties to this proceeding are as  
25 follows: The applicant, Arx Wireless

1 Infrastructure, is represented by David A. Ball,  
2 Philip C. Pires, both of Cohen & Wolf.

3 The intervenor, is New Cingular  
4 Wireless, represented by Thomas J. Regan of Brown  
5 Rudnick.

6 And a party to this proceeding is the  
7 City of New Britain represented by Joseph E.  
8 Skelly, Jr. from the City of New Britain  
9 Corporation Counsel.

10 We will proceed in accordance with the  
11 prepared agenda, a copy of which is available on  
12 the Council's Docket No. 503 webpage, along with  
13 the record of this matter, the public hearing  
14 notice, instructions for public access to this  
15 remote public hearing, and the Council's Citizens  
16 Guide to Siting Council Procedures. Interested  
17 parties may join any session of this public  
18 hearing to listen, but no public comments will be  
19 received during the 2 p.m. evidentiary session.  
20 At the end of the evidentiary session, we will  
21 recess until 6:30 p.m. for the public comment  
22 session. Please be advised that any person may be  
23 removed from the remote evidentiary session or the  
24 public comment session at the discretion of the  
25 Council.

1           The 6:30 p.m. public comment session is  
2 reserved for the public to make brief statements  
3 into the record. I wish to note that the  
4 applicant, parties and intervenors, including  
5 their representatives, witnesses and members, are  
6 not allowed to participate in the public comment  
7 session. I also wish to note for those who are  
8 listening, and for the benefit of your friends and  
9 neighbors who are unable to join us for the remote  
10 public comment session, that you or they may send  
11 written statements to the Council within 30 days  
12 of the date hereof, either by mail or by email,  
13 and such written statements will be given the same  
14 weight as if spoken during the remote public  
15 comment session.

16           A verbatim transcript of this remote  
17 public hearing will be posted on the Council's  
18 Docket 503 webpage and deposited with the New  
19 Britain City Clerk's Office for the convenience of  
20 the public.

21           Please be advised that the Council's  
22 project evaluation criteria under the statute does  
23 not include consideration of property values.

24           The Council will take a 10 to 15 minute  
25 break at a convenient juncture around 3:30 p.m.,

1 so you can plan accordingly.

2 And with that, I'd like to begin by  
3 taking -- or the administrative notice taken by  
4 Council. I wish to call your attention to those  
5 items shown on the hearing program marked as Roman  
6 Numeral I-B, Items 1 through 79, that the Council  
7 has administratively noticed. Does any party have  
8 an objection to the items that the Council has  
9 administratively noticed?

10 Attorney Ball.

11 MR. BALL: Good afternoon, Mr. Edelson.  
12 David Ball for the applicant, Arx Wireless  
13 Infrastructure, LLC. We have no objection.

14 MR. EDELSON: Thank you. Attorney  
15 Regan?

16 MR. REGAN: Attorney Regan for the  
17 intervenor AT&T. We have no objection.

18 MR. EDELSON: Thank you. And Attorney  
19 Skelly. Attorney Skelly, I'm not hearing you.  
20 Could you be on mute or -- and unfortunately I'm  
21 not seeing your name show up. There you are. I  
22 think you're still on mute at this point.  
23 Attorney Skelly, can you get off of mute?

24 MR. SKELLY: How about now?

25 MR. EDELSON: That's much better.



1 Thank you.

2 MR. SKELLY: Sorry. I have no  
3 objection. Can you tell me when it would be  
4 appropriate? I just have a comment I want to make  
5 on the only exhibit we offered, the affidavit of  
6 Steve Schiller. My only comment is that I plan to  
7 have him available by telephone, if someone wants  
8 to talk to him. But at 1:42 p.m. today he texted  
9 me, and he's had some health issues, he's at New  
10 Britain General Hospital or the Hospital for  
11 Central Connecticut at the emergency room. So I  
12 don't know when he's going to be released. He's  
13 still waiting to see the doctor. And I wanted to  
14 know, I suppose, at this point if anyone was  
15 planning to cross-examine him with respect to the  
16 issues set forth in his affidavit.

17 MR. EDELSON: I will defer to Attorney  
18 Bachman in a second, but I have a feeling we will  
19 have a continuation of this hearing at another  
20 time, and that might be more convenient for him.  
21 But let me ask Attorney Bachman for her counsel on  
22 this.

23 MS. BACHMAN: Thank you, Mr. Edelson.  
24 Certainly with three parties we do anticipate a  
25 continuation hearing. Since the city was the last

1 party in, they'll be the last to appear and be  
2 cross-examined, so it's most likely that the city  
3 would appear at the continuation hearing. So  
4 certainly for this evening or this afternoon  
5 Mr. Schiller's absence, although unfortunate, I  
6 don't think it's going to have an impact on the  
7 hearing today. Thank you, Mr. Edelson.

8 MR. SKELLY: Would there be any  
9 objection if I texted Mr. Schiller and tell him to  
10 just worry about what's he's doing at the  
11 emergency room and we'll take him up at another  
12 date?

13 MR. EDELSON: That would sound  
14 reasonable to me.

15 MR. SKELLY: Thank you.

16 MR. EDELSON: Okay. With that, we'll  
17 continue with the appearance by the applicant.  
18 Will the applicant present its witness panel for  
19 purposes of taking the oath, and I'd ask Attorney  
20 Bachman to administer that oath. So first let's  
21 present the panel.

22 MR. BALL: Thank you, Mr. Edelson. And  
23 as you saw from our prefiled testimony, we have  
24 four witnesses, all of whom are present in this  
25 proceeding, Keith Coppins, Doug Roberts, Mike

1 Libertine and Brian Gaudet.

2 MR. EDELSON: Attorney Bachman.

3 MS. BACHMAN: Thank you, Mr. Edelson.

4 Could the witnesses please raise their right hand.

5 K E I T H C O P P I N S ,

6 D O U G L A S R O B E R T S ,

7 M I C H A E L L I B E R T I N E ,

8 B R I A N G A U D E T ,

9 called as witnesses, being first duly sworn

10 (remotely) by Attorney Bachman, were examined

11 and testified on their oath as follows:

12 MR. EDELSON: Thank you very much. And

13 at this point, I'd like to ask does any party

14 object to -- oh, I'm sorry, I skipped a line.

15 Please forgive me, this is my first time. If the

16 applicant could begin by verifying all exhibits by

17 the appropriate sworn witnesses.

18 DIRECT EXAMINATION

19 MR. BALL: Thank you, Mr. Edelson.

20 Yes, and I'm going to go one by one with each

21 witness, and I'll start, if I may, with Mr.

22 Coppins. Mr. Coppins, did you prepare, assist or

23 supervise the preparation of Exhibits 1, 2, 3, 4,

24 5, 6 and 9?

25 THE WITNESS (Coppins): Yes, I did.

1 MR. BALL: And I want to just, if I  
2 may, Mr. Coppins, focus your attention on Exhibit  
3 1 which is the application. And I want to ask you  
4 about Exhibit F to the application, which is the  
5 site search summary. And do you have a correction  
6 to Exhibit F?

7 THE WITNESS (Coppins): Yes, I do.

8 MR. BALL: All right. In the site  
9 search summary, Mr. Coppins, the ninth property  
10 that's listed is 52 Derby Street, New Britain. Do  
11 you see that?

12 THE WITNESS (Coppins): Yes, I do.

13 MR. BALL: And in the description in  
14 Exhibit F it states that AT&T explored the use of  
15 this parcel for the development of a tower within  
16 a faux church steeple, but it was deemed unusable  
17 because the potential structure would not be tall  
18 enough to meet AT&T's coverage requirements. Is  
19 that statement one that you want to correct?

20 THE WITNESS (Coppins): Yes, I do.

21 MR. BALL: Okay. So if I could just  
22 start, initially it indicated a faux church  
23 steeple. In fact, what structure exists on 52  
24 Derby Street?

25 THE WITNESS (Coppins): Yes, it's a

1 storage facility, so a faux steeple was a misprint  
2 on our number 9 description.

3 MR. BALL: And was this site rejected  
4 by AT&T?

5 THE WITNESS (Coppins): AT&T rejected  
6 the site for RF reasons, and it did not meet their  
7 coverage objectives, whether it was a faux steeple  
8 or a tower existing, or tower placed at that site.

9 MR. BALL: Okay. Thank you, Mr.  
10 Coppins. And do you have any other revisions to  
11 any of the other exhibits that I identified with  
12 you?

13 THE WITNESS (Coppins): No, I don't.

14 MR. BALL: All right. Now, I just want  
15 to focus your attention on Exhibit 3, which is  
16 Arx's interrogatory responses to the Connecticut  
17 Siting Council. Are the responses true and  
18 accurate to the best of your knowledge?

19 THE WITNESS (Coppins): Yes, they are.

20 MR. BALL: And do you have any  
21 corrections or revisions to any of those  
22 responses?

23 THE WITNESS (Coppins): I do not.

24 MR. BALL: And with respect to your  
25 prefile testimony, which is Exhibit 6, is that

1 testimony true and accurate to the best of your  
2 knowledge?

3 THE WITNESS (Coppins): Yes, it is.

4 MR. BALL: And do you have any  
5 corrections or revisions to it?

6 THE WITNESS (Coppins): No, I do not.

7 MR. BALL: And do you adopt the  
8 testimony in Exhibit 6 as your testimony today?

9 THE WITNESS (Coppins): Yes, I do.

10 MR. BALL: All right. Thank you, Mr.  
11 Coppins.

12 Mr. Roberts, if I could ask you to  
13 unmute yourself. All right. I'm hearing a little  
14 feedback. Let me ask the question, then you can  
15 unmute. Mr. Roberts, did you prepare, assist or  
16 supervise in the preparation of Exhibits 1, 3, 5  
17 and 7?

18 THE WITNESS (Roberts): Yes, I did.

19 MR. EDELSON: I think you're now on  
20 mute.

21 THE WITNESS (Roberts): I'm going to  
22 switch.

23 MR. EDELSON: Attorney Ball, I think  
24 you're on mute.

25 THE WITNESS (Coppins): We're just

1 going to rearrange for a second, if you just give  
2 us one minute.

3 MR. EDELSON: That would be helpful.

4 (Pause.)

5 MR. BALL: All right. Can you hear me,  
6 Mr. Roberts?

7 THE WITNESS (Roberts): Thank you.  
8 Sorry about that.

9 MR. BALL: That's better. Mr. Roberts,  
10 I want to just ask you about Exhibit 3 which are  
11 the Arx's interrogatory responses to the Siting  
12 Council. Are those responses true and accurate to  
13 the best of your knowledge?

14 THE WITNESS (Roberts): Yes, they are.

15 MR. BALL: Do you have any corrections  
16 or revisions to any of those responses?

17 THE WITNESS (Roberts): No, I do not.

18 MR. BALL: And Mr. Roberts, your  
19 prefile testimony is Exhibit 7. Is that testimony  
20 true and accurate to the best of your knowledge?

21 THE WITNESS (Roberts): Yes, it is.

22 MR. BALL: Do you have any corrections  
23 or revisions to it?

24 THE WITNESS (Roberts): No, I do not.

25 MR. BALL: Do you adopt the testimony

1 in Exhibit 7 as your testimony today?

2 THE WITNESS (Roberts): Yes, I do.

3 MR. BALL: All right. Thank you. I'll  
4 move on to Mr. Libertine. Mr. Libertine, did you  
5 prepare, assist or supervise the preparation of  
6 Exhibits 1, 3 and 8?

7 THE WITNESS (Libertine): Yes.

8 MR. BALL: Do you have any revisions or  
9 corrections to those exhibits?

10 THE WITNESS (Libertine): No, I do not.

11 MR. BALL: And with respect to Exhibit  
12 3, which is the interrogatory responses Arx  
13 submitted to the Connecticut Siting Council, are  
14 those responses true and accurate to the best of  
15 your knowledge?

16 THE WITNESS (Libertine): Yes.

17 MR. BALL: Do you have any corrections  
18 or revisions to any of the responses?

19 THE WITNESS (Libertine): No.

20 MR. BALL: And Mr. Libertine, your  
21 prefile testimony is Exhibit 8. Is that testimony  
22 true and accurate to the best of your knowledge?

23 THE WITNESS (Libertine): Yes.

24 MR. BALL: And do you have any  
25 corrections or revisions to it?



1 THE WITNESS (Libertine): No.

2 MR. BALL: And do you adopt that  
3 testimony in Exhibit 8 as your testimony today?

4 THE WITNESS (Libertine): Yes, I do.

5 MR. BALL: Okay. Thank you. And Mr.  
6 Gaudet, you're sitting with Mr. Libertine, did you  
7 prepare, assist or supervise the preparation of  
8 Exhibits 1, 3 and 8?

9 THE WITNESS (Gaudet): Yes.

10 MR. BALL: Do you have any revisions or  
11 corrections to those exhibits?

12 THE WITNESS (Gaudet): I do not.

13 MR. BALL: And the interrogatory  
14 responses Arx submitted to the Connecticut Siting  
15 Council, Exhibit 3, are those responses true and  
16 accurate to the best of your knowledge?

17 THE WITNESS (Gaudet): Yes.

18 MR. BALL: Do you have any corrections  
19 or revisions to any of the interrogatory  
20 responses?

21 THE WITNESS (Gaudet): I do not.

22 MR. BALL: And Mr. Gaudet, your  
23 prefiled testimony is Exhibit 8. Is it true and  
24 accurate to the best of your knowledge?

25 THE WITNESS (Gaudet): Yes, it is.

1 MR. BALL: Do you have any corrections  
2 or revisions to it?

3 THE WITNESS (Gaudet): I do not.

4 MR. BALL: Do you adopt the testimony  
5 in Exhibit 8 as your testimony today?

6 THE WITNESS (Gaudet): Yes.

7 MR. BALL: Okay. Thank you, Mr.  
8 Gaudet.

9 With that, Mr. Edelson, I would ask  
10 that the applicant's Exhibits 1 through 9 be made  
11 full exhibits.

12 MR. EDELSON: Okay. Before I do that,  
13 let me just ask if any party objects to the  
14 admission of the applicant's exhibits. Attorney  
15 Regan, any objection?

16 MR. REGAN: No objection.

17 MR. EDELSON: And Attorney Skelly?

18 MR. SKELLY: No objection.

19 MR. EDELSON: Thank you. And with  
20 that, the exhibits are admitted.

21 (Applicant's Exhibits II-B-1 through  
22 II-B-9: Received in evidence - described in  
23 index.)

24 MR. EDELSON: So now we will begin with  
25 the cross-examination of the applicant by the

1 Council starting with Mr. Perrone.

2 CROSS-EXAMINATION

3 MR. PERRONE: Thank you, Mr. Edelson.  
4 Beginning with the response to Council  
5 Interrogatory Number 5 to the applicant where it  
6 gets into the search ring, how did the applicant  
7 first become aware of AT&T's need for a facility  
8 in the area?

9 THE WITNESS (Coppins): Mr. Perrone,  
10 this is Keith Coppins. I became aware of it  
11 sometime in March of 2020. I had some other sites  
12 I was looking at in New Britain for development of  
13 sites and was contacted by an AT&T representative  
14 and said he was looking for a site in this area.  
15 So we began looking in this area for a site for  
16 AT&T.

17 MR. PERRONE: Did AT&T provide details  
18 to you regarding coverage or capacity or FirstNet  
19 at that time?

20 THE WITNESS (Coppins): At the time  
21 they did not. They just said they had a need in  
22 this area, and I then began working with AT&T's  
23 representatives and sending sites over to them for  
24 consideration.

25 MR. PERRONE: And with regard to the

1 search ring, the radius is a quarter mile. How  
2 was the size of the search ring determined?

3 THE WITNESS (Coppins): AT&T determined  
4 the size of their coverage need.

5 MR. PERRONE: And in the application,  
6 page 19, the applicant notes, "Only after  
7 determining that no existing suitable facilities  
8 or structures could be used to provide reliable  
9 coverage in this area, a search for tower sites  
10 was conducted." So was that search based on the 4  
11 mile radius?

12 THE WITNESS (Coppins): I didn't use a  
13 4 mile radius. I used the area or the site radius  
14 that AT&T was needing, but I did not use a 4 mile  
15 radius.

16 MR. PERRONE: So even the inventory for  
17 existing facilities, that didn't go out to 4?

18 THE WITNESS (Coppins): The existing  
19 facilities may have gone out to 4 miles, but I  
20 didn't consider those as part of our search area  
21 radius for this particular site.

22 MR. PERRONE: Within your search radius  
23 did you also consider sites within the Council's  
24 comprehensive database which might include rooftop  
25 or other non-tower facilities?

1           THE WITNESS (Coppins): We do. We look  
2 at rooftops because we actually manage rooftops as  
3 well as tower sites. So we looked at as many  
4 things as we possibly could before we started down  
5 the road of a new tower site.

6           MR. PERRONE: For example, did you look  
7 at the rooftop facility at Franklin Square at the  
8 YWCA in New Britain?

9           THE WITNESS (Coppins): I did not look  
10 at that, at that site specifically.

11          MR. PERRONE: And in general, did you  
12 also look at small cell installations within your  
13 search radius?

14          THE WITNESS (Coppins): I didn't look  
15 at small cell installations for the purpose of my  
16 site here, no.

17          MR. PERRONE: And I have a couple other  
18 questions on the small cell topic. With respect  
19 to small cells or DAS systems in the vicinity of  
20 the proposed site, is the existing electrical  
21 distribution in the neighborhood, is it overhead  
22 or underground?

23          THE WITNESS (Coppins): I think it's  
24 mostly overhead, but if you're asking questions  
25 about small cells in particular, I think if you're

1 going to ask questions about the small cells, I  
2 think that might be better answered by AT&T's RF  
3 department -- RF representative.

4 MR. PERRONE: Sure. Going back to the  
5 proposed site, how was the specific tower location  
6 chosen on the subject property?

7 THE WITNESS (Coppins): So when I  
8 looked at the property and we did a site walk on  
9 the property, I wanted to stay as far away from  
10 the neighboring properties as possible, so I put  
11 it in the, so to speak, courtyard of the old  
12 school.

13 MR. PERRONE: Did the applicant  
14 consider a rooftop facility at the proceed site,  
15 in other words, attached to the top of the  
16 building?

17 THE WITNESS (Coppins): No, we did not.

18 MR. PERRONE: Could a faux chimney or  
19 faux smokestack be designed at this site?

20 THE WITNESS (Coppins): I may refer  
21 that question to Mr. Roberts.

22 THE WITNESS (Roberts): Sure. A  
23 smokestack could be utilized at this location.  
24 One of the concerns of ours is, when we start  
25 going to smaller diameter structures like

1 flagpoles and such, that many of the carriers  
2 would want to have two RAD centers that might  
3 increase the height itself.

4 MR. PERRONE: And that would be  
5 generally true for a chimney or a smokestack?

6 THE WITNESS (Roberts): Correct.

7 MR. PERRONE: Okay. I'd like to move  
8 on to the notice topic. Going to the response to  
9 Council Interrogatory Number 1, and that one has  
10 an attachment. The attachment is for the  
11 certified mail receipts. And going down this  
12 list, I see number 8, it's listed as return to  
13 sender. Were any additional attempts made to  
14 contact this abutter such as by first class mail?

15 THE WITNESS (Coppins): I think we only  
16 sent them out certified mail as we typically do.  
17 I don't think we made any other attempts to send  
18 out other mailings.

19 MR. PERRONE: And there are just two  
20 more I'd like to check on. Number 9, the one that  
21 was in transit, do you have an update on that  
22 tracking?

23 THE WITNESS (Coppins): This is number  
24 9?

25 MR. PERRONE: Yes.

1 MR. BALL: I think I can maybe help out  
2 on this one since my office sent out those  
3 notices. We do not have an update on that. As  
4 far as we know, it's still in transit for whatever  
5 reason.

6 MR. PERRONE: And lastly, number 21.  
7 So is the certified mail, that would be the second  
8 certified sent to that one; is that correct?

9 THE WITNESS (Coppins): Since Mr. Ball  
10 sent that out, I'm --

11 MR. BALL: You're testifying, Mr.  
12 Coppins, but the answer is yes.

13 MR. PERRONE: And that went out on July  
14 1. Do you know the status of that one?

15 MR. BALL: Our office has not received  
16 a green card back yet.

17 MR. PERRONE: Okay. Also, this was in  
18 the Council interrogatories, but just as an  
19 update, have any other wireless carriers expressed  
20 an interest in co-locating on the facility?

21 THE WITNESS (Coppins): They have not  
22 as of this date.

23 MR. PERRONE: Turning to the response  
24 to Council Interrogatory 10 to the applicant, this  
25 gets into the topic of the yield point. Could you



1 explain how the yield point works, for example, do  
2 you slightly overdesign below that point, or how  
3 does that physically work?

4 THE WITNESS (Roberts): That's exactly  
5 right. The yield point is consistent with 10  
6 percent increased structure strength, let's say,  
7 below that yield point. The intent would be that  
8 you could predict that the tower might fail in a  
9 catastrophic weather event.

10 MR. PERRONE: Okay. Turning to the  
11 revised tab G, which is the updated site plans, on  
12 sheet C-2 I was looking at the compound plan and I  
13 see a notation that says "gas meter with  
14 bollards." And from the AT&T interrogatories I  
15 see they propose a diesel generator. I was just  
16 wondering what the gas meter with bollards is for.

17 THE WITNESS (Roberts): Well, what we  
18 were planning to address was, similar to the first  
19 site where natural gas was available, and if it's  
20 there we would propose using natural gas as  
21 opposed to diesel at that site. So these plans  
22 included, since natural gas was available down the  
23 street, we'll bring in natural gas for the back-up  
24 emergency generators.

25 MR. PERRONE: And on page 1 of the

1 application the applicant notes the access would  
2 be across an existing paved parking lot and no new  
3 access would need to be created, but in response  
4 to Interrogatory 14 there is 140 cubic yards of  
5 cut and 150 cubic yards of gravel fill for the  
6 access drive. So construction wise for your  
7 access drive would you be cutting the pavement and  
8 putting gravel down?

9 THE WITNESS (Roberts): It's in pretty  
10 sad shape, and we're going to be bringing  
11 underground utilities through. So although we're  
12 utilizing an existing roadbed area, it will  
13 probably end up having to be redone, so that's why  
14 we added that.

15 MR. PERRONE: Okay. Also on that cut  
16 and fill question, which is number 14, I  
17 understand, depending on the geotechnical  
18 investigation, it might affect the amount of cut  
19 for the foundation but the access road cut and  
20 fill would stay the same; is that right?

21 THE WITNESS (Roberts): That's correct.

22 MR. PERRONE: And in general, at the  
23 site would you reuse some of the net cut material,  
24 and what would you do with any surplus material?

25 THE WITNESS (Roberts): Normally, what

1 we will do is anything that's excavated would be  
2 removed from the site and properly taken care of,  
3 and we'll bring in fresh engineered material with  
4 the proper certs and proctor and analysis test for  
5 backfill to 95 percent if it's a pad and pier.

6 MR. PERRONE: Turning to the response  
7 to Council Interrogatory 8, the nearest residence  
8 is 128 feet from the tower to the north. Is that  
9 the 40 Richmond Ave. property?

10 THE WITNESS (Coppins): Bear with us a  
11 second so we can verify that.

12 MR. PERRONE: Sure.

13 THE WITNESS (Roberts): Yes, it is.

14 MR. PERRONE: Okay. I'd like to move  
15 on to some visibility related topics. Could you  
16 describe the views of the tower compound from the  
17 abutting residences?

18 THE WITNESS (Gaudet): Let me get my  
19 bearings here. So the areas closest to the  
20 compound you can see it in the field review photo  
21 10 and 11, there is fencing that's there. It's  
22 not the wire fence. It's pretty solid. There  
23 will be some views through the trees from within  
24 the residences. Some of the second floor windows  
25 looking out into the backyards will likely have

1 views as it currently stands without any  
2 additional landscaping there.

3 MR. PERRONE: Has the applicant  
4 considered any screening measures for the compound  
5 such as landscaping or privacy slats or a wooden  
6 fence?

7 THE WITNESS (Coppins): This is Keith  
8 Coppins for the applicant. Should the Council  
9 approve this site, we'd be happy to put together a  
10 landscaping plan that would satisfy both the City  
11 of New Britain and the Connecticut Siting Council.

12 MR. PERRONE: I'd asked about the  
13 compound itself. But as far as the tower, could  
14 you describe the views of the tower from the  
15 closest abutters?

16 THE WITNESS (Gaudet): It's going to be  
17 visible certainly to those immediate residences to  
18 the north. Surrounding the site there you've got  
19 residences across the street, Beach Street,  
20 they'll certainly have views. I think throughout  
21 the backyards, depending on where you're standing,  
22 it's possible. There is a slight treeline there,  
23 so some of those residences will have obstructed  
24 views. Sorry, I was put on mute by accident. But  
25 it will be visible from the majority of those

1 abutters.

2 MR. PERRONE: Turning to the response  
3 to Council Interrogatory 24, that gives the visual  
4 assessment table quantifying the tower visibility.  
5 Is it correct to say height of tower visible in  
6 general means above the treeline, but if you have  
7 an asterisk footnote it means within the trees?

8 THE WITNESS (Gaudet): Yes. So we  
9 typically would look at it as the visibility above  
10 the treeline. But here we wanted to get a little  
11 bit more indepth and look at some of those  
12 seasonal views where you can -- we're not out in  
13 the woods here, we're in an urban area, so the  
14 tree density is not that thick where the seasonal  
15 views you can't really see the tower clearly.  
16 Here it's pretty open in some of those seasonal  
17 shots. So we wanted to specify that you can't see  
18 X number of feet of the tower. The sites with the  
19 asterisk would be mostly within the treeline, so  
20 looking through as opposed to sticking above.

21 MR. PERRONE: Are there any state or  
22 locally designated scenic roads in the vicinity of  
23 the proposed site?

24 THE WITNESS (Gaudet): Not to my  
25 knowledge, no.

1 MR. PERRONE: Does the applicant need  
2 to put a lightning rod on top of the tower?

3 THE WITNESS (Gaudet): No, this site is  
4 100 -- it's well under 200 feet. No, I don't  
5 believe there's a lightning rod. I'll defer to  
6 Doug Roberts on that.

7 THE WITNESS (Roberts): We're fine with  
8 it the way it is. We won't have a lightning rod  
9 on top.

10 MR. PERRONE: Turning to the response  
11 to Council Interrogatory 26, what is the status of  
12 the noise analysis?

13 THE WITNESS (Roberts): We have  
14 received a preliminary noise analysis as of  
15 yesterday, and the final will be issued very  
16 shortly within the next few days. And right now  
17 we're utilizing a diesel fired generator, 15 kW  
18 generator, and that has a dB of 68 dB at 23 feet.  
19 And being this is an emergency generator, we have  
20 no problem that, you know, we'll meet, meeting the  
21 Connecticut DEEP standards. The only other noise  
22 that is emitted from this site is a fan that's on  
23 the door. We have a door mounted air-conditioning  
24 system, kind of almost in the nature of a muffin  
25 fan on a computer, and it's very, very modest in

1 audible.

2 MR. PERRONE: You had said the diesel  
3 generator. So it's still the plan to go forward  
4 with the diesel?

5 THE WITNESS (Roberts): The noise  
6 analysis was done utilizing a diesel. If it  
7 switches to natural gas, it's pretty much  
8 identical. It's under full loads a few dBs lower  
9 in decibel under full load.

10 MR. PERRONE: And lastly, there was  
11 mention about the tower finish. Proposed was the  
12 galvanized gray, but there was also a painted  
13 brown or a blue-green as an option. Would  
14 painting the tower materially affect the total  
15 cost?

16 THE WITNESS (Coppins): Painting the  
17 tower does affect the total cost of the tower and  
18 the ongoing maintenance because we would keep it  
19 the same color, but the amount of cost that would  
20 be incurred if we ended up painting it is minimal.

21 MR. PERRONE: Thank you. That's all I  
22 have.

23 MR. EDELSON: Thank you, Mr. Perrone.  
24 Now I'll turn it over to Mr. Silvestri for  
25 questions of the applicant.

1 MR. SILVESTRI: Thank you, Mr. Edelson.  
2 And good afternoon, all.

3 Mr. Coppins, I wanted to go back to one  
4 of the comments you mentioned about placement of  
5 the compound within the courtyard. There were  
6 plans to convert the building at 43 Osgood Avenue  
7 into an age restricted apartment building, and  
8 that would include a 49 car parking lot. If the  
9 plans remained current, would the proposed  
10 location of the tower and the compound interfere  
11 with either the proposed parking lot or access to  
12 the building?

13 THE WITNESS (Coppins): So the  
14 placement of the site, I'm not aware of what the  
15 design and what the compound or what the parking  
16 lot is actually going to look like. Since we  
17 started the process of the tower site, our  
18 landlord has no plans to move forward with any  
19 kind of a development on the site. As a matter of  
20 fact, he's trying to sell the property, and Arx  
21 currently has an extended lease on the property  
22 with an intent to purchase the site if we were to  
23 get approval. Arx is, I mean, we're happy to move  
24 the site in a direction that the city or the town,  
25 or the city or the Council would want us to move



1 to, to not interfere with possible future plans of  
2 the facility.

3 MR. SILVESTRI: All right. Thank you  
4 for your response.

5 And Mr. Roberts, one follow-up to a  
6 question with Mr. Perrone. I didn't get it  
7 completely, but why does the faux chimney or a  
8 faux smokestack not work at 43 Osgood?

9 THE WITNESS (Roberts): It will work,  
10 but it depends on the carriers, sometimes like on  
11 a flagpole they'll want two RAD centers, and  
12 similar on a chimney, sometimes they'll need two  
13 RAD centers to deploy their complete technology.

14 MR. SILVESTRI: So your driving factor  
15 is more height than anything else?

16 THE WITNESS (Roberts): Yeah, if we're  
17 having to stack each carrier with two locations,  
18 horizontal locations, like 100, 110, the next one  
19 may be 120, 130, you know, the tower itself would  
20 become that much -- or the stack would become that  
21 much taller.

22 MR. SILVESTRI: But at this point, the  
23 only one that we know of at the present time that  
24 would want to locate on this proposed tower is  
25 AT&T; is that correct?

1                   THE WITNESS (Roberts): That is  
2 correct.

3                   MR. SILVESTRI: All right. I'm going  
4 to come back to that in a few minutes. Let me  
5 change right now to the site search itself.  
6 Locations to the west, east and south were  
7 investigated, but to my knowledge there were no  
8 locations to the north that were investigated.  
9 Simple question, why?

10                  THE WITNESS (Coppins): If you bear  
11 with me one minute, I'll take a look at that. So  
12 it seemed like, as the further north that we went,  
13 or when I looked north there was, again, we went  
14 further into the residential zone without large  
15 properties. There was one property that I saw  
16 that possibly could have been utilized on  
17 Farmington Avenue. And after looking at it, most  
18 of their acreage was in the front of the building,  
19 and I would want to try to hide the, you know, try  
20 to place a tower behind the building to kind of  
21 hide the base of it. So I had pushed more toward  
22 the north, but again, I worked with AT&T to find  
23 the site that best fit their needs and what their  
24 RF footprint was trying to accomplish.

25                  MR. SILVESTRI: So based on what you

1 just mentioned, is it fair to say that you did  
2 look at some site to the north but it just wasn't  
3 documented in the site search summary?

4 THE WITNESS (Coppins): I did look at  
5 one site to the north, and it wasn't documented  
6 mainly because I didn't contact the owner. I made  
7 a judgment based on the site itself.

8 MR. SILVESTRI: Okay. Thank you. If  
9 you could turn to the summary of the site search  
10 locations. I'd like to look at number 6, which is  
11 210 Farmington Avenue in New Britain. The site  
12 was explored but determined that because the  
13 property being listed is for sale, it was not  
14 available as a potential site. Now, is that the  
15 old school that was associated with Holy Cross  
16 Church?

17 THE WITNESS (Coppins): Number 5 is the  
18 school itself that was actually up for sale, and  
19 the church wasn't interested. And the school  
20 wasn't interested because it was up for sale. The  
21 church wasn't interested because they just didn't  
22 want it. But yes, number 5, 221 Farmington  
23 Avenue, and number 6, 210 Farmington Avenue, were  
24 together, that is correct, Mr. Silvestri.

25 MR. SILVESTRI: So 5 is the church and

1 6 is the school?

2 THE WITNESS (Coppins): 5 is the  
3 school, 221 Farmington Avenue is the school, and  
4 210, number 6, is the church.

5 MR. SILVESTRI: Okay. Getting back to  
6 the church, it's my understanding that there is an  
7 existing cell facility that's within that steeple.  
8 Curious, if you did talk with the church people,  
9 they said they weren't interested at all?

10 THE WITNESS (Coppins): So, one of the  
11 AT&T representatives spoke with the church people,  
12 and the church is who said that they were not  
13 interested in moving forward.

14 MR. SILVESTRI: I find that  
15 interesting. I'm trying to look at my notes to  
16 figure out who's there right now. Oh, there it  
17 is, T-Mobile, I believe, is at 107 feet within  
18 that steeple. I'm just kind of surprised that  
19 with the way things are going financially with a  
20 lot of the churches that they kind of said no  
21 we're not interested in looking at a lease, but  
22 that's just a comment from my side.

23 I keep hearing small cells are not  
24 suitable for rural and suburban environments but  
25 that they are suitable and do work successfully in

1 urban environments. This proposed location is an  
2 urban environment. Explain to me why small cells,  
3 in your opinion, are not suitable for this area.

4 THE WITNESS (Coppins): I think that is  
5 a question that you may want to ask AT&T's RF  
6 group, Mr. Lavin.

7 MR. SILVESTRI: All right. I'll put  
8 that down for AT&T's appearance along with other  
9 questions that I do have for them. But for the  
10 record, you mentioned that you did look at the  
11 statewide comprehensive database of  
12 telecommunications sites. That's listed as Item  
13 Number 32 of the Council's administrative items.  
14 The last update on that was February 25, 2021. I  
15 looked at that as well, and I find this area to be  
16 very interesting. And again, I'll pose a couple  
17 questions to you. You might defer to AT&T. But  
18 in the summary I have, and it might not be all  
19 inclusive, but here's what I found for that  
20 general area in New Britain. There's 14 rooftop  
21 installations, there's two steeples, there's one  
22 light pole, there's two utility poles, there's one  
23 faux chimney, there's one smokestack, and there's  
24 seven either lattice or monopoles that are in the  
25 area. So when I look at that, I'm kind of saying

1 to myself, gee, there's other carriers that are  
2 located here, it seems that small cells will work.  
3 Any comment, or do I have to put that one to AT&T?

4 THE WITNESS (Coppins): I would push  
5 that one over to AT&T.

6 MR. SILVESTRI: Okay. Let me ask you  
7 this: Did you look, when you were looking for a  
8 location at Osgood Avenue and Slater Road, at  
9 DiLoreto Middle School, there's a rooftop  
10 installation?

11 THE WITNESS (Coppins): Do you know the  
12 address for that?

13 MR. SILVESTRI: I don't have the  
14 specific other than it's towards the west side of  
15 where you're looking to locate. And again, it's  
16 the DiLoreto Middle School.

17 THE WITNESS (Coppins): That's at  
18 Osgood and what?

19 MR. SILVESTRI: Slater Road.

20 THE WITNESS (Coppins): Honestly, I did  
21 not look at that because when I was working with  
22 AT&T on the site we were probably looking at a  
23 quarter of a mile, and that one is almost a mile  
24 away.

25 MR. SILVESTRI: Okay. How about Spring

1 Street at the Regency Apartments, there's a  
2 rooftop that Sprint is on at this point at 73  
3 feet, did you look at that to either put another  
4 rooftop or to co-share whatever type of design  
5 that they have right now?

6 THE WITNESS (Coppins): I did not look  
7 at that one either, again, for the same reasons.  
8 From our area of where we're looking it's about a  
9 mile and, a little over a mile away.

10 MR. SILVESTRI: Okay. How about  
11 anything on Myrtle Street? I have two locations,  
12 although I don't have the addresses. One of them  
13 on Myrtle Street is a rooftop. Sprint is at 109  
14 feet, T-Mobile is at 90. The other location is  
15 also a rooftop at the Message Center Management,  
16 Cingular is at 85 feet. Did you look at Myrtle  
17 Street at all?

18 THE WITNESS (Coppins): I did not look  
19 at Myrtle Street. Again, the same reasons. I'm  
20 not sure where AT&T is located around in these  
21 areas, but I'm wondering if they are being covered  
22 by something else in the area. And again, this is  
23 something that, you know, I was working with AT&T  
24 for a specific area that wasn't being serviced.

25 MR. SILVESTRI: Understood. And again,

1 I'll pose this question to AT&T, because when I'm  
2 looking at the sites that I just mentioned to you,  
3 I have T-Mobile, I have Sprint, I have Cingular, I  
4 have Verizon. I don't see an AT&T on any of the  
5 rooftops that I mentioned to you, so again, I will  
6 defer and wait patiently to discuss this with  
7 AT&T.

8 But one of the last questions at least  
9 on location, Grove Street, did you look at  
10 anything on Grove Street? I have Verizon at 92.8  
11 feet, Sprint at 146 feet, T-Mobile at 65. Did you  
12 look at Grove Street at all?

13 THE WITNESS (Coppins): Bear with me.  
14 (Pause) No, for the same reasons. That's over a  
15 mile outside of our quarter mile search area.

16 MR. SILVESTRI: Okay. So how about a  
17 hybrid design, for example, could some type of  
18 combined structure setting maybe using the,  
19 there's a faux church steeple at 92 McClintock  
20 Street, which is St. Thomas Assyrian Church, and  
21 perhaps a small cell over at Crystal Ballroom at  
22 211 Farmington Avenue. Could a combination of  
23 small cell sites or faux church steeple sites work  
24 in place of putting up a monopole?

25 THE WITNESS (Coppins): As far as



1 coverage of need, I may refer that to Mr. Lavin  
2 and see if he can answer that question.

3 MR. SILVESTRI: All right. I'll put  
4 that on my list as well. Thank you. And then you  
5 had mentioned, well, the correction from the  
6 church steeple at 52 Derby Street to whatever type  
7 of storage facility that's there. Again, similar  
8 question to what I just posed. Would a faux  
9 flagpole possibly at 52 Derby Street or another  
10 flagpole or faux chimney at Osgood where we are  
11 now or another location, or is that another one  
12 for AT&T?

13 THE WITNESS (Coppins): I have the  
14 answer for 52 Derby Street. They suggested that  
15 they put a flagpole or some other kind of a  
16 monopole at that site, and AT&T's RF rejected the  
17 site because it didn't give them the coverage that  
18 they needed.

19 MR. SILVESTRI: And again, I'll pose  
20 this to AT&T. But to your knowledge, AT&T  
21 rejected it without looking at a combination of  
22 something somewhere else. Would that be your  
23 understanding?

24 THE WITNESS (Coppins): That's  
25 possible. I don't know the answer to that.

1 MR. SILVESTRI: All right. I'll put  
2 that in reserve too.

3 All right. Mr. Edelson, I really think  
4 that's all the questions I have for Arx at this  
5 point. I want to reserve the other questions I  
6 have and the ones that we briefly discussed for  
7 AT&T when the time comes. But thank you.

8 MR. EDELSON: That sounds reasonable.  
9 So now we'll turn to Mr. Hannon and followed by  
10 Mr. Nguyen.

11 Mr. Hannon.

12 MR. HANNON: Thank you. I have a  
13 feeling some of my questions also need to go to  
14 AT&T. I was looking at page 17 of the  
15 application. I've asked this before, so I'll ask  
16 this again. There's a blanket statement in there  
17 basically saying repeaters, microcell  
18 transmitters, distributed antenna systems and  
19 other types of transmitting technologies are not a  
20 practicable or feasible means for providing  
21 service within the service area for this site.

22 I'd like more than just a statement to  
23 that effect. Can you please provide some  
24 background information as to why that statement is  
25 true?

1                   THE WITNESS (Coppins): So again,  
2 working with AT&T on this particular site, and  
3 they did a lot of their own research prior to even  
4 talking with me and finding a possible tower site  
5 with Arx Wireless, the fact that they said this is  
6 what we need in this area, that's why we went  
7 forward with a tower site. I didn't have another  
8 building or site that would serve their needs  
9 other than a 100 foot tower. And that's when we  
10 started going down the road of where we are today.

11                   MR. HANNON: Okay. Thank you. I'm  
12 going to assume my next question really needs to  
13 go to AT&T because, even with putting in this  
14 tower, there are some gaps in coverage. One in  
15 particular appears to be along Allen Street. So  
16 my question would be whether or not any  
17 consideration has been given to including a small  
18 cell in that area to go along with what is  
19 currently being proposed.

20                   THE WITNESS (Coppins): I think I agree  
21 with you, Mr. Hannon, that that should go to AT&T.

22                   MR. HANNON: Okay. The next one may be  
23 for Mr. Libertine or at least his group because  
24 they did the photo simulations. I see that one of  
25 the outlying spots is number 42, it's at the

1 corner of Clinton Street and Corbin Avenue. To  
2 the north of that it looks as though there's a  
3 large area that is not covered with service, but  
4 I'm curious if you recollect what is actually in  
5 that area, if there is anything in that area,  
6 because it looks as though, based on the street  
7 layout, it may be more undeveloped or is there  
8 something there that I'm just missing?

9 THE WITNESS (Gaudet): You said 42?

10 MR. HANNON: North of 42, and then to  
11 the east of that is Alden Street, so there's a big  
12 gap in there of coverage. And I'm just wondering  
13 if you may recollect as to what's actually out  
14 there on that part of the site.

15 THE WITNESS (Gaudet): I drove it  
16 myself. And I know that street because I remember  
17 getting over there and saying you're never going  
18 to see this over here. You go down in height  
19 pretty substantially as you go from Osgood down  
20 over to Corbin Street, Corbin Ave. There's a  
21 park, I forget if it's a park, it's essentially  
22 green space there along that street as you drive  
23 south on Corbin. So on your left-hand side there  
24 is, in between there, I'll point out photo 18,  
25 that's the cemetery. So there's a lot of

1 intervening trees, but again, the topography drops  
2 off down along Corbin Avenue as well. So there  
3 was no -- you know, we try and bracket the  
4 visibility here, and there was absolutely nothing  
5 on that street.

6 MR. HANNON: Thank you. I was just  
7 kind of curious about that. I'm trying to see  
8 which exhibit it may be. Bear with me for a  
9 second. So in Exhibit E as part of the  
10 application, I'm confused about some of the data  
11 that's in some of the tables because I don't  
12 understand like what tables go with what maps. So  
13 for example, there's a table on page 7. It  
14 identifies different site names for cell towers,  
15 their addresses, but yet if you look at the next  
16 page on page 8, some are identified on page 8,  
17 some are not identified on page 8. So I'm not  
18 sure what the table on page 7 goes to.

19 And then similar to that, you have, I  
20 think it's still on the same -- it's after the  
21 site search, there's the 4 mile radius with  
22 different towers, and there's a table on the next  
23 page. So it seems as though there's mixing and  
24 matching in terms of where towers are, they're on  
25 one map, they're not on another map, they're on

1 this table, they're not on that table. I'm just  
2 kind of curious on some of that as to where these  
3 numbers came from.

4 THE WITNESS (Gaudet): So I can't speak  
5 to -- I should say I'll defer to AT&T for their RF  
6 report. In the site list there, the 4 mile list  
7 of sites, that's all existing facilities that we  
8 see in the CSC database within a 4 mile radius.

9 MR. HANNON: Because again, part of my  
10 questioning goes to, if you look at the table  
11 that's on page 7, it identifies 130 Birdseye Road,  
12 a site named CT5255. Well, the thing is, there  
13 are four towers at that 130 Birdseye Road. So why  
14 is there like only one here, but yet on the --  
15 there was a table behind the 4 mile radius, all  
16 four -- I mean, I'm just finding some problems  
17 with consistency with what's being provided.

18 THE WITNESS (Gaudet): I'm looking at  
19 the RF report now. In that list, so where you see  
20 the site name, you know, CT and four numbers, that  
21 would be AT&T specific locations. So it's not a  
22 comprehensive list of all the possible sites that  
23 are in the area as opposed to the 4 mile radius  
24 table that you're looking at does show all  
25 existing facilities regardless of whether AT&T is

1 on them or not.

2 MR. HANNON: Okay. Changing gears,  
3 looking at the site layout. Let's see which one  
4 it's in. This is under Exhibit I, and it's  
5 probably maybe 13, 14 pages in. It's showing the  
6 schematic of where the proposed site is. It shows  
7 the properties on Richmond. But the question I  
8 have relates to this 25 foot wide easement for  
9 access to the site and also where the utilities  
10 are going. In looking at some photos and some  
11 aerials in that area, it appears as though there  
12 is some pretty dense trees in that area, but it  
13 looks as though where the right of way is going  
14 will be cutting through some of those trees. And  
15 I'm just wondering what that impact might be. If  
16 you go in there and you're digging, if you start  
17 hitting roots, things of that nature, what are the  
18 possibilities of some of those trees potentially  
19 dying and some of the buffering that's there that  
20 looks like it might be in pretty decent shape may  
21 be gone. So how do you deal with that?

22 THE WITNESS (Gaudet): I'll speak to  
23 just the tree coverage there and then I'll turn it  
24 over to Doug and Keith to address the construction  
25 standpoint. If you look at photo 4 in the remote

1 field review, it's from if you're standing on that  
2 existing access drive looking back towards the  
3 back side of the building. So the site from an  
4 aerial, those branches extend out substantially,  
5 right, it looks like it's covering that access  
6 drive. Looking in photo 4, you can see that they  
7 don't extend into the access drive as it's  
8 proposed. So I think within that 25 foot easement  
9 you do have some branch coverage there, but I'll  
10 let Mr. Roberts or Mr. Coppins speak to what  
11 occurs during construction if they do in fact hit  
12 roots.

13 THE WITNESS (Roberts): Thank you. A  
14 very good point. Yeah, that's sort of the tree  
15 canopy, a rough location. The 25 foot easement  
16 would be what we would require for the utilities.  
17 Our excavations can be along the side of the  
18 school as opposed to on the side where the tree  
19 roots would be impacted, and that would be to  
20 bring our conduits to a depth below grade to meet  
21 code. Yeah, we plan to leave as much of that tree  
22 canopy and preserve as much of that screening as  
23 possible along that north border because it does  
24 shield the site from the residences to the north.

25 MR. HANNON: Okay. So I'm assuming



1 then efforts will also be made to try and minimize  
2 any cutting or disruption of the root system on  
3 the trees because typically the root system is  
4 going to go out pretty much about as far as the  
5 branches go. I think that's sort of standard. So  
6 the goal is to try to minimize that as much as  
7 possible?

8 THE WITNESS (Roberts): That is  
9 correct.

10 MR. HANNON: Okay. Thank you. I have  
11 a question for Mr. Coppins regarding his prefile  
12 testimony. The last paragraph on paragraph five  
13 you have a comment in there that the property  
14 owner doesn't have a problem with the site being  
15 developed with the cell tower, but at the same  
16 time I'm thinking, well, there's sort of a  
17 personal reason on that is, because if he's got a  
18 building right now that's not being put to any use  
19 and he's still paying taxes, doesn't this  
20 basically go in and allow him to pay for his taxes  
21 because he's got the rent money coming in and  
22 doesn't have to do anything with the building? So  
23 I'm kind of curious as to one of the issues that  
24 the City of New Britain is raising about the  
25 possibility of the building becoming derelict,

1 things of that nature. Is this something that may  
2 actually lead to the building becoming more  
3 derelict than it already is because now the  
4 property owner has got money coming in?

5 THE WITNESS (Coppins): I may have said  
6 this earlier, and let's see if we can -- the owner  
7 of the building is actually selling the property.  
8 Currently the only buyer that he has, which I'm  
9 obligated if we get an approval here, is Arx  
10 Wireless. I will come in and make sure that the  
11 building is not going to continue to be  
12 dilapidated. I'm going to make sure that it's  
13 secure. I'm going to make sure, I'm going to  
14 clean up the outside of it, make sure the grass is  
15 cut on a regular basis as long as we own the  
16 property. So, in essence, he's not going to have  
17 rent coming in on the property, and honestly he  
18 will never have rent coming in on the property  
19 because I'm more than likely going to end up  
20 buying the property.

21 MR. HANNON: Okay. That makes that one  
22 a little bit easier. Thank you.

23 THE WITNESS (Coppins): You're welcome.

24 MR. HANNON: Mr. Roberts, on your  
25 prefile testimony, Question 7, in your answer, you

1 talk about the compound will be designed with an 8  
2 foot tall galvanized 2 inch diamond wire mesh  
3 fence and three strands of barbed wire along the  
4 top. I believe it was one of our former  
5 colleagues, Phil Ashton, that brought this up on a  
6 number of occasions. Because there are 302  
7 residential properties within 1,000 feet of this  
8 particular site, would you be willing to go in and  
9 put in a non-climbing wire mesh fence? I think  
10 that's more like the inch and a quarter size. It  
11 makes it much more difficult for people to climb.  
12 I'm just concerned that with as many residential  
13 units as there are within 1,000 feet of the  
14 property, this could be an attractive nuisance to  
15 some folks. So I'm just wondering if that's  
16 something you guys can do to minimize the attempts  
17 to even try to get in.

18 THE WITNESS (Roberts): We'd be happy  
19 to do that. We understand that, you know, it  
20 could be considered an attractive nuisance and  
21 we'd want to make sure we limit people's access,  
22 so we'd be happy to do that.

23 MR. HANNON: Thank you. I had a  
24 question about your back-up generator, but that  
25 has already been addressed because it sounds like

1 you're willing to go with the gas, which is good  
2 because I know gas actually services the property.  
3 So I believe that is it for my questions. Thank  
4 you.

5 MR. EDELSON: Okay. Thank you, Mr.  
6 Hannon.

7 With that, we'll turn it over to Mr.  
8 Nguyen followed by Mr. Lynch.

9 MR. NGUYEN: Thank you, Mr. Edelson.  
10 And good afternoon, everyone. I too assume that  
11 some of my questions would most likely be referred  
12 to AT&T, so let me try to narrow the question down  
13 for Arx. There was a discussion earlier about the  
14 back-up generator, and I'm just trying to  
15 understand or clarify the ownership and  
16 responsibilities of the equipment at the tower.  
17 So who would install the back-up generator and who  
18 will own it or maintain it?

19 THE WITNESS (Coppins): So the back-up  
20 generator and all the ground equipment is owned by  
21 AT&T and would be maintained by AT&T.

22 MR. NGUYEN: And the compound that's  
23 housing the back-up generators now would  
24 accommodate additional back-up generators from  
25 other carriers?

1 THE WITNESS (Coppins): So typically  
2 each carrier would come in with their own back-up  
3 generator. And being that it's probably natural  
4 gas, each carrier would have a natural gas back-up  
5 generator for their equipment.

6 MR. NGUYEN: Would there be room for  
7 additional back-up generators?

8 THE WITNESS (Coppins): We would  
9 definitely make sure that there's room for back-up  
10 generators. I have a 75 by 75 compound, a leased  
11 area at this point in time, but as I said to Mr.  
12 Hannon, it looks like we're going to own the  
13 entire parcel. We would be able to do whatever we  
14 needed to do to accommodate any future equipment  
15 on the property.

16 MR. NGUYEN: It's my understanding that  
17 the proposed tower can accommodate four carriers;  
18 is that correct?

19 THE WITNESS (Coppins): That is  
20 correct.

21 MR. NGUYEN: And it can go up an  
22 additional 30 feet; is that correct?

23 THE WITNESS (Coppins): That is  
24 correct.

25 MR. NGUYEN: Now, at the moment, as you

1 mentioned earlier, you have received no inquiries  
2 to co-locate on the tower, is that right?

3 THE WITNESS (Coppins): That's correct.  
4 And just to expand on that, it's not unusual for  
5 us to go in with a tower site at a particular area  
6 and we only have one carrier going in. I look  
7 back at a docket that we did in Bridgeport for  
8 Verizon back several years ago, maybe four years  
9 ago, and we only came in with Verizon. And I  
10 contacted each one of the carriers, and they said  
11 we don't have any interest at this time. I'm in  
12 the middle of construction and T-Mobile comes on,  
13 and now they're located on it. So it's not  
14 unusual for us as we start to construct and we put  
15 them in the different areas that the carriers do  
16 come on at a later date.

17 MR. NGUYEN: So is it your expectation  
18 that there's potentially additional carriers would  
19 jump on board?

20 THE WITNESS (Coppins): It absolutely  
21 always is my intention that we would get  
22 additional carriers on our towers.

23 MR. NGUYEN: Now, assuming that the  
24 project is approved, do you have a target date to  
25 have this tower up and running?

1 THE WITNESS (Coppins): So as soon as  
2 we get our final approval, should we get our final  
3 approval, at the D&M stage we would file a  
4 building permit immediately and we would construct  
5 the tower immediately.

6 MR. NGUYEN: And what are the proposed  
7 construction hours for this tower?

8 THE WITNESS (Coppins): Typically, we  
9 would do between 7:30 and 7:30, 7:30 a.m. to 7:30  
10 p.m., no work on the weekends. In this particular  
11 area I probably would move that to 8 o'clock a.m.  
12 to 5 o'clock p.m. with no work on the weekends  
13 during the initial construction.

14 MR. NGUYEN: When you say "initial  
15 construction," what are you referring to?

16 THE WITNESS (Coppins): The tower and  
17 the foundation and when all the heavy equipment  
18 comes in and AT&T is installed. Future, you know,  
19 emergency, in the event of emergencies, the  
20 carriers may need to do something with their  
21 equipment, but that's not really a construction  
22 question -- a construction issue, I'm sorry, not a  
23 question. But we can certainly for future  
24 carriers coming in limit their construction to 8  
25 to 5 Monday through Friday.

1 MR. NGUYEN: Thank you very much.  
2 That's all I have, Mr. Edelson. Thank you.

3 MR. EDELSON: You're welcome. And so  
4 now we'll turn to Mr. Lynch followed by Ms.  
5 Cooley.

6 Mr. Lynch.

7 MR. LYNCH: Thank you, Mr. Chairman. I  
8 have a few follow-up questions. Most of my  
9 questions have been answered, or as already been  
10 stated, will be more, to be directed more towards  
11 AT&T than the applicant.

12 Mr. Coppins, you just made a statement  
13 a little while ago, a couple seconds ago, that  
14 some carriers come on after construction has  
15 started or been completed. I found this in the  
16 past to be rather common, you know, that way they  
17 don't have to go through this process we're going  
18 through right now. Sorry, that was more of a  
19 statement.

20 Now, as far as the back-up generator is  
21 concerned for power, I'm a little confused as to  
22 who would actually own the generator, would it be  
23 AT&T or Arx?

24 THE WITNESS (Coppins): It would be  
25 AT&T.



1 MR. LYNCH: Thank you. And Mr.  
2 Roberts, on an engineering point of view, we put  
3 yield points in all these towers over the last 20  
4 years. Has there ever been a tower where the  
5 yield point was actually something that saved the  
6 property or the cell tower itself, do you know of  
7 any?

8 THE WITNESS (Roberts): I do not know  
9 of any tower failing at the yield point. And even  
10 when towers do fail, they're usually, it's a  
11 design error originally or -- I don't know of any  
12 of them that have, even towers that have caught on  
13 fire (AUDIO INTERRUPTION) back on air.

14 MR. LYNCH: (AUDIO INTERRUPTIONS) Sorry  
15 about that. Staying with the back-up generator  
16 for a second, no matter what the fuel source is,  
17 from reading, I forget whether it was the  
18 interrogatories or actually in the application  
19 itself, it would immediately start, there's no  
20 cold start involved here?

21 THE WITNESS (Roberts): This is a DC  
22 generator. So what would ultimately happen is  
23 when there's even a brownout it will start itself  
24 to maintain the voltage. It's not like our  
25 alternating generators, alternating current

1 generators that we've used in the past on, you  
2 know, many of the sites where as soon as a loss of  
3 power, commercial power happens, it will start.  
4 The DCs will start, charge the batteries, and then  
5 shut themselves off until they deplete themselves  
6 to a certain criteria and then restart.

7 MR. LYNCH: Thank you. I don't know  
8 whether this question will be for yourselves or  
9 AT&T. It involves interrogatory, your  
10 Interrogatory Number 27 on FirstNet. And there's  
11 a comment in there that it depends on, the  
12 capacity depends on public safety use. Can  
13 someone explain what a public safety use would be?

14 THE WITNESS (Coppins): Can you refer  
15 me to the interrogatory you're referring to?

16 MR. LYNCH: Sorry, I didn't hear.

17 THE WITNESS (Coppins): You're  
18 referring to which interrogatory?

19 MR. LYNCH: Number 27, I think it is.  
20 It's FirstNet. And I guess it pertains more to  
21 AT&T, so I'll pass on that until they come around.

22 THE WITNESS (Coppins): Okay.

23 MR. LYNCH: Now, as far as your  
24 security you stated, I would like to know, if  
25 someone does break into the facility, what are

1 they targeting, what are they looking to walk away  
2 with if they get in?

3 THE WITNESS (Roberts): Into the  
4 actual plant?

5 MR. LYNCH: Into the compound.

6 THE WITNESS (Roberts): I would say the  
7 number one issue that we've had is the theft of  
8 copper. We have copper busbars, we have copper  
9 ground cables, and those tend to be valuable to  
10 thieves. That's really pretty much the only thing  
11 that could ever be done on them. The buildings  
12 themselves are pretty much locked tight and  
13 secure. You know, it's not a -- there's nothing  
14 in them that would benefit anybody except the  
15 copper.

16 MR. LYNCH: That's what I thought. I  
17 just wanted to get that on the record.

18 Mr. Coppins, if you do end up buying  
19 the entire facility, would you do other  
20 improvements to the property?

21 THE WITNESS (Coppins): I don't have  
22 any plans to do improvements other than to make it  
23 look -- (AUDIO INTERRUPTION) -- to the area. I  
24 would make sure that it's maintained. If I need  
25 to put in screening, I would do that. I would

1 make sure that the -- the building is not secure  
2 at this point in time. I would definitely make it  
3 secure. That would be one of the upgrades that I  
4 would do, updates that I would do. I would work  
5 with the city to make sure that, you know, we're  
6 in compliance. But I don't have current, I don't  
7 have any current plans to develop the property.

8 MR. LYNCH: Thank you. Interrogatory  
9 Number 13 states that you would go no higher, if  
10 you had to increase the height of the tower, you  
11 could go no higher than 30 feet. Would that be a  
12 cap on the tower, or could somebody come along  
13 down the road and go higher than 30 feet?

14 THE WITNESS (Coppins): So when I'm  
15 designing the tower, I'm usually designing it  
16 about 30 percent more than what the height would  
17 go. And I don't foresee a tower -- I mean, I  
18 could build a foundation that would go up to 150  
19 feet. I just don't see the need that it would  
20 probably go that high, so I just -- it may not  
21 ever go higher than 100, I mean, 90 feet may work  
22 for one of the other carriers as well. I just  
23 don't want to dig up a foundation and have to  
24 increase it, so that's why I put 30 feet. We  
25 could do 50, but I just didn't see a need to do

1 that.

2 MR. LYNCH: It seems to me that you do  
3 have some coverage area gaps within the  
4 application, but it seems to me that this whole  
5 project is designed to bring more capacity for  
6 data streaming to different areas. Am I wrong  
7 here, or is it a priority to get the data and the  
8 streaming out to your customers?

9 THE WITNESS (Coppins): I think that  
10 may be a question for AT&T, what their data needs  
11 are.

12 MR. LYNCH: I figured that. Thank you.  
13 I want to compliment you on the description in  
14 your application on page 14 through 16 on the  
15 variations and different usage of cell phones and  
16 tablets and so on. You put it together very  
17 nicely.

18 THE WITNESS (Coppins): Thank you.

19 MR. LYNCH: Also, I've noticed there  
20 was a couple questions that I don't know if -- I  
21 think it was more on the -- I forget the numbers,  
22 but they were talking about using flush mounts or  
23 smaller than a full array antenna. Now, I've been  
24 observing as I go throughout the state that the  
25 old flush mounts and old smaller antennas are all

1 being replaced in order to service, like I just  
2 mentioned, the data and the streaming and add more  
3 capacity to the network. Is this the primary  
4 reason why they're being kind of taken out of the  
5 systems or is that an AT&T question?

6 THE WITNESS (Coppins): As far as the  
7 antennas and what their needs are, I think you're  
8 right, I think it's more of an AT&T reason for  
9 their choosing anything like that.

10 THE WITNESS (Roberts): But I do think  
11 you are right where, you know, years ago, yeah, we  
12 had one antenna and one frequency we were trying  
13 to cover. Now we have multiple frequencies, five  
14 and six frequencies from each carrier, and each  
15 antenna is transmitting two, three frequencies.  
16 So with that, I think they grow, the antenna size  
17 grows.

18 MR. LYNCH: Now, my last couple of  
19 questions. In Interrogatory Number 21 you talk  
20 about making space available to the town. If they  
21 do come in, what would you have to talk to them  
22 about equipment, would it be a microwave dish or a  
23 whip, and is there capacity, or room, rather, on a  
24 tower to add a dish and whip antennas?

25 THE WITNESS (Coppins): Typically, we

1 would, we always provide space available for the  
2 city's emergency services on any of our towers  
3 that I've done for however many years I've been  
4 doing them. Typically, if we build this site at  
5 100 feet and they come in, say, hey, we need whip  
6 antennas at their 24 whips, we would install an  
7 extension so that they would go off the top of the  
8 tower. We would reserve space for them at the  
9 base of the tower for other equipment, and we  
10 would definitely meet the structural, the  
11 structural integrity of the tower would be  
12 maintained.

13 MR. LYNCH: Thank you. And my last  
14 comment is for Mr. Libertine. We've discussed  
15 this in the past, but I get a big kick out of it  
16 every time I see it when you're talking about your  
17 archeological studies and you always refer to the  
18 Chippewa Indians which are no where near our area.  
19 So I was wondering, did they get the rights after  
20 the French and Indian War to investigate in the  
21 east? You don't need to comment.

22 THE WITNESS (Libertine): I wish I  
23 could comment on that with an intelligent answer,  
24 but I don't.

25 MR. LYNCH: I know we've talked about

1 it in the past, Mr. Libertine, so I'm just kidding  
2 myself more than you.

3 Those are my questions, Mr. Edelson.

4 MR. EDELSON: Okay. Thank you very  
5 much, Mr. Lynch.

6 Ms. Cooley, I don't know, we've got a  
7 few more minutes before 3:30. Do you want to try  
8 to finish up before that, or would you rather we  
9 take the break and then come back to you?

10 MS. COOLEY: Thank you, Mr. Edelson. I  
11 think my questions are actually fairly brief and I  
12 can probably do this rapidly, if you would like to  
13 get this done prior to the break.

14 MR. EDELSON: Please proceed. I just  
15 didn't want to, you know, push the envelope here.  
16 Thank you.

17 MS. COOLEY: Right. Of course. I'm  
18 looking forward to speaking with AT&T after  
19 hearing my fellow Siting Council members ask many  
20 of the same kinds of questions that I have about  
21 small cells and about, for lack of a better  
22 catchall term, camouflage structures that could be  
23 potentially used in sites like this. I'm very  
24 interested to hear from them about how and why  
25 they choose not to do those or if they've



1 investigated or thought about that a little bit  
2 more, but I recognize that that is not in your  
3 purview.

4 My only other question that has not  
5 already been asked and answered is just a few  
6 questions about the actual construction phase.  
7 First of all, what would be the length of the  
8 construction phase, how long would you anticipate  
9 if you are changing your hours to be a little more  
10 thoughtful about the residential neighborhood, how  
11 long would that phase take?

12 THE WITNESS (Coppins): So typically it  
13 takes about 90 days to construct the tower --  
14 well, 60 days to construct the tower and the  
15 foundation and another 30 to 45 days to get the  
16 power, the primary power to the site. Eversource  
17 is very busy, if I can say that.

18 MS. COOLEY: Indeed. Okay. So that's  
19 under a three-month window is about what you're  
20 looking at?

21 THE WITNESS (Roberts): And the site  
22 does not have a large access road or, you know,  
23 large clearings or any, you know, terrain, a  
24 pretty simple project.

25 MS. COOLEY: Right. Okay. And from

1 your photographs it looks like the initial part of  
2 that access road is pretty broken up pavement, and  
3 you've said that you would remove that; is that  
4 correct?

5 THE WITNESS (Roberts): That is  
6 correct.

7 MS. COOLEY: Okay. And replace that  
8 with a gravel substrate?

9 THE WITNESS (Roberts): Right.

10 MS. COOLEY: That would go entirely all  
11 the way around to the pad?

12 THE WITNESS (Roberts): Correct.

13 MS. COOLEY: Okay. So there would be  
14 no paving whatsoever on the site?

15 THE WITNESS (Roberts): Correct. We  
16 would have a pervious surface where here we do  
17 have some impervious materials right now. So it  
18 would actually at the end of the project be less  
19 than what we have.

20 MS. COOLEY: Okay. And I was a little  
21 unable on the photographs to tell, but should you  
22 determine that you want to continue use of the  
23 building for warehouse storage or any other usage,  
24 is there a paved area for people or access to that  
25 building in any way or any other area of the

1 property that people would park or any other paved  
2 area that would be used?

3 THE WITNESS (Coppins): I guess, if  
4 we're going to do something like that, we would  
5 probably go before the city council to get our  
6 permits for that, and they would give us whatever  
7 we needed, should they deem it necessary for extra  
8 parking, what the building is going to be used for  
9 at the time. Currently, as I said earlier, I just  
10 don't have, I don't have any plans for that --

11 MS. COOLEY: Okay.

12 THE WITNESS (Coppins): -- at this  
13 point in time.

14 MS. COOLEY: Okay. But there isn't any  
15 other paved area other than just at that entrance?

16 THE WITNESS (Coppins): That's correct.

17 MS. COOLEY: Okay. I think that pretty  
18 much covers my questions. So thank you very much  
19 for your time.

20 Thank you, Mr. Edelson.

21 MR. EDELSON: Thank you, Ms. Cooley.  
22 And with that, I think we will take our 15 minute  
23 break, and let's say 3:46, or 3:45, we'll make it  
24 on the quarter of the hour we will resume. So  
25 we'll see you in about 15 minutes. Thank you.

1                   (Whereupon, a recess was taken from  
2 3:31 p.m. until 3:45 p.m.)

3                   MR. EDELSON: Okay. It looks to me  
4 like everyone is back. And so it's my turn. I  
5 have a few additional questions in addition to all  
6 the excellent questions offered by my colleagues.

7                   So my first question, I guess, is to  
8 Mr. Coppins. After AT&T contacted you with the  
9 need for a tower in this area, when did you  
10 approach the government of New Britain to indicate  
11 to them that you were looking for sites and/or had  
12 identified this particular site?

13                  THE WITNESS (Coppins): I didn't reach  
14 out to the City of New Britain specifically until  
15 we were further down the road and I did my, or  
16 when we started the tech report. Typically, if I  
17 see that there is a City of New Britain -- or if I  
18 see that there's a town property, then I would  
19 typically contact them directly at that point in  
20 time. I didn't see any of that that would meet  
21 the needs at that time. So when we did the tech  
22 report then the city reached out to us and gave us  
23 a couple other possible properties that they had,  
24 that they had available for a tower site.

25                  MR. EDELSON: Those were the properties

1 that you mentioned you evaluated and they came up  
2 short for AT&T?

3 THE WITNESS (Coppins): Yes, those two  
4 properties were number 14 and 15 of my site search  
5 summary. I believe it was they just, during our  
6 technical report municipal consultation they said,  
7 hey, have you looked at these, which we hadn't  
8 because it was outside the ring. But we went  
9 ahead and looked at them, ran through AT&T, and  
10 they came back that they kind of gave duplicate  
11 coverage. They were too close to another site as  
12 well.

13 MR. EDELSON: And did you explain that  
14 to them in writing or in conversation in terms of  
15 your findings on those two sites?

16 THE WITNESS (Coppins): In writing. We  
17 responded, I believe, on March the 5th. Bear with  
18 me, and I think I can find that.

19 MR. EDELSON: Well, for my purposes --

20 THE WITNESS (Coppins): We responded in  
21 writing.

22 MR. EDELSON: And did they respond  
23 after that with any additional suggestions or  
24 sites?

25 THE WITNESS (Coppins): They did not

1 respond with additional sites. We did ask if they  
2 wanted to have another meeting about anything, and  
3 they just responded that they didn't, they were  
4 not going to support the location.

5 MR. EDELSON: Now, in your application,  
6 which I believe was in early May, it included  
7 Appendix E which was prepared really by AT&T on  
8 the radio frequency propagation. Following that  
9 there was a submittal to the Siting Council from  
10 the city which indicated that there was no proof  
11 of need for a tower. Did you as Arx, and  
12 obviously I'll ask AT&T this separately, did you  
13 get back to the city to explain that there was --  
14 I don't want to put words in your mouth -- but  
15 that proof was offered in the application as far  
16 as the need?

17 THE WITNESS (Coppins): I did not. We  
18 did not respond to the city's letter about that.  
19 I figured that we would be responding at this  
20 point in time to the need of the site.

21 MR. EDELSON: Okay. Thank you. So I  
22 think I'd like to just turn to Mr. Libertine for  
23 either I'm misreading something or maybe there is  
24 a small error. I don't want to say "small." Let  
25 me just say an error. In the visibility analysis,

1 if you turn to page 8, and this is where you're  
2 summarizing, it says the predicted seasonal  
3 visibility is estimated to include approximately  
4 87 acres, and year-round visibility would include  
5 an additional 47 acres. And usually I think of  
6 seasonal visibility as bigger in terms of area  
7 than year-round. So am I confused or did some  
8 words get swapped around here?

9 THE WITNESS (Gaudet): You're correct.  
10 So in this case the seasonal is the larger number  
11 of the two at 87, the year-round being 47.

12 MR. EDELSON: So the inverse, if you  
13 will?

14 THE WITNESS (Gaudet): Yeah, I think,  
15 depending on how prominent some of the views could  
16 be, or the size, in our conclusions we will  
17 sometimes swap year-round for seasonal -- (AUDIO  
18 INTERRUPTION)

19 MR. EDELSON: Okay. Sometimes, Brian,  
20 your voice is cutting in and out. I don't know  
21 where the microphone is but --

22 THE WITNESS (Gaudet): It is right  
23 front of me. Is this a little better? I can move  
24 closer.

25 MR. EDELSON: I don't think it's my

1 ears, but I think it's the transmission. And  
2 going back to with regard to the visibility  
3 analysis, I feel like often, and again I might be  
4 in error, that we talk about a 3 foot balloon, but  
5 if I read this correctly, this used a 4 foot  
6 balloon. Any particular reason, did it have  
7 something to do with urban versus rural or, well,  
8 any insight about why that choice of balloon size?

9 THE WITNESS (Gaudet): We fly, a  
10 standard size balloon is about 4 feet, between 3  
11 and a half and 4 feet, but regardless of site,  
12 urban, suburban, rural.

13 MR. EDELSON: Okay. So this probably  
14 was just my memory, but I felt like 3 foot stood  
15 out as a number, but you're saying it's between 3  
16 and 4 --

17 THE WITNESS (Gaudet): Yeah. I would  
18 say 3 feet to 4 feet is the standard for balloon  
19 floats.

20 MR. EDELSON: Okay. I didn't know if  
21 it had anything to do with, you referred to this  
22 before, it's not like in some rural areas where we  
23 see, let's say, continuous trees. Here we see  
24 outcroppings of trees and then areas with no  
25 trees, which made kind of the pictures look a



1 little different than some of the ones I've been  
2 seeing for more rural areas recently, but I  
3 appreciate that clarification.

4 Back to Mr. Coppins. You've indicated,  
5 if this is approved, high likelihood you will end  
6 up to be the owner of this site and the proud  
7 owner of that building which you plan to maintain.  
8 Putting money aside, are there any technical or  
9 safety issues that would prevent you from leasing  
10 that building out as a community building for the  
11 people of New Britain, in other words, for the  
12 surrounding community to use as a meeting place or  
13 a teen center, or something of that nature? Is  
14 there anything that would prevent you or cause you  
15 to be cautious about using this building or allow  
16 that building to be used in that way?

17 THE WITNESS (Coppins): I don't think  
18 so. I think that that would be fine. It needs to  
19 be updated and made for, you know, renovated for  
20 that particular need, but I don't see any reason  
21 why it couldn't be used for anything like that.

22 MR. EDELSON: Okay. The fact that the  
23 tower is behind it, from what you know, would not  
24 present any type of a reason for not allowing  
25 something like that to go forward?

1 THE WITNESS (Coppins): Absolutely not.

2 MR. EDELSON: Okay. Something to keep  
3 in mind. And then I just, maybe I'm making too  
4 much of a point on this one, but Mr. Roberts, you  
5 know we've had some pretty violent weather around  
6 the world the last couple of years. And if I  
7 understand you correctly, in none of those cases  
8 has a monopole gone down, is that an overstatement  
9 on my part?

10 THE WITNESS (Roberts): The times when  
11 we've had monopoles fail, my recollection was when  
12 we had, I think Katrina, where the water was so  
13 high that it undermined the foundations for the  
14 tower, in effect, similar to water under a bridge.  
15 The towers, and I think we've seen that quite  
16 often in some of the hurricane areas of the  
17 islands in Florida, where the tower is the only  
18 thing left standing, and people surround it so  
19 they can get in touch with families because they  
20 have no power and these facilities have generators  
21 and back-up power.

22 MR. EDELSON: I do find that amazing  
23 sometimes in the middle of a disaster somebody is  
24 on their cell phone, and I'm wondering where is  
25 that tower. And just to go back on the

1 landscaping issue because, as far as I could see,  
2 your application was completely void of any  
3 mention of the word landscaping, you're open to  
4 that. But I see it in sort of two ways: One,  
5 around the compound itself, around that fenced  
6 area to make that as pleasant as possible to look  
7 at. And also, because of the closeness of the  
8 abutting neighbors, I could see trees along the  
9 border of the property. Would you be open to both  
10 kinds of landscaping, in other words, those around  
11 the chain link fence as well as those around the  
12 boundary with the abutting neighbors?

13 THE WITNESS (Coppins): Should the  
14 Council approve our application, we would be  
15 absolutely happy to do something for that, with  
16 that, and we can address that in the D&M plan.

17 MR. EDELSON: Okay. All right. I  
18 believe that's all my questions. Very often we  
19 would go back to Council members, but my sense is  
20 many of our Council's questions crossed the  
21 boundary between the tower and the radio  
22 communications. So I think at this point I will  
23 ask if there's any cross-examination of the  
24 applicant by AT&T, Attorney Regan.

25 MR. REGAN: Thank you, Mr. Edelson. I

1 just have one clarification question for Mr.  
2 Roberts. If Mr. Roberts could just clarify his  
3 answer with regard to the use of the building and  
4 a faux smokestack or tower on the building on the  
5 subject property, I'd appreciate it.

6 THE WITNESS (Roberts): Sure, I'd be  
7 happy to. Thank you, Attorney Regan. Yeah, I  
8 must have misunderstood. With a faux chimney on  
9 the top of that building and the height needed to  
10 fulfill the RF requirement for AT&T would pretty  
11 much be impossible. I've done them 25, 30 feet  
12 tall, single carrier, faux chimneys, but not any  
13 larger than that on an existing structure. There  
14 is exceptions, obviously. If it's a multi-story  
15 building that, you know, is able to support it,  
16 that would be possible, but in this case it's a  
17 school that's over 100 years old, 110 years old.  
18 It's not going to be able to support a faux  
19 chimney that would meet those objectives for RF.  
20 Thank you.

21 MR. REGAN: Thank you, Mr. Roberts. No  
22 further questions for AT&T, Mr. Edelson.

23 MR. EDELSON: Okay. Thank you, Mr.  
24 Regan.

25 Attorney Skelly, do you have any

1 cross-examination?

2 MR. SKELLY: Yes, I do. Thank you.  
3 I'm pretty sure most of these questions are for  
4 Mr. Coppins. You're familiar with Exhibit F  
5 entitled site search summary, map of rejected  
6 sites, and 4 mile tower map with table that was  
7 attached to the technical report, correct?

8 THE WITNESS (Coppins): Yes, I have it  
9 in front of me.

10 MR. SKELLY: All right. And the  
11 document that is entitled on the bottom existing  
12 adjacent towers lists a number of towers within a  
13 4 mile radius, correct?

14 THE WITNESS (Coppins): Correct.

15 MR. SKELLY: And did I count these  
16 wrong, or are there 11 current towers located  
17 within the City of New Britain?

18 THE WITNESS (Coppins): Yeah, that  
19 seemed correct.

20 MR. SKELLY: And is AT&T on any of  
21 those towers to your knowledge?

22 THE WITNESS (Coppins): I would refer  
23 to AT&T on what towers they're on.

24 MR. SKELLY: Okay. One of the towers,  
25 one of the existing cell towers is located at 723

1 Farmington Avenue on that map, correct?

2 THE WITNESS (Coppins): Correct.

3 MR. SKELLY: And are you familiar with  
4 the property known as 723 Farmington Avenue where  
5 that particular cell tower is located?

6 THE WITNESS (Coppins): Not personally,  
7 no. I may have driven by it.

8 MR. SKELLY: Do you know where what's  
9 called Falcon Field is located in New Britain on  
10 Farmington Avenue?

11 THE WITNESS (Coppins): I'm not  
12 intimately familiar with it, no.

13 MR. SKELLY: Okay. If I were to tell  
14 you that that's a pretty large tract of land,  
15 would you have any reason to question it? I'm  
16 talking about 723 Farmington Avenue.

17 THE WITNESS (Coppins): I don't. I  
18 don't know, no. I wouldn't have a reason to, no.

19 MR. SKELLY: Okay. But you're aware  
20 that there's an existing cell tower on that site?

21 THE WITNESS (Coppins): Based on this  
22 map, yes.

23 MR. SKELLY: Okay. And as the crow  
24 flies, the distance between the tower located at  
25 723 Farmington Avenue and the tower that you want

1 to seek approval for at 43 Osgood Avenue is .92  
2 miles, a little less than one mile; is that  
3 correct?

4 THE WITNESS (Coppins): I will let you  
5 know. So --

6 MR. SKELLY: Okay. We had our public  
7 works department measure it, and they came up with  
8 0.92 miles and 4,844.6 feet.

9 THE WITNESS (Coppins): Okay.

10 MR. SKELLY: Do you have any reason to  
11 question those calculations?

12 THE WITNESS (Coppins): Nope, I'd be  
13 all right with that.

14 MR. SKELLY: Did you look at the cell  
15 tower, which is located less than one mile away  
16 from the subject site, to determine whether or not  
17 it was possible to do what you want to do at 43  
18 Osgood Avenue but to do it with the cell tower  
19 located at 723 Farmington Avenue?

20 THE WITNESS (Coppins): I did not look  
21 at that, no.

22 MR. SKELLY: Is there any reason why  
23 you did not?

24 THE WITNESS (Coppins): Well, in my  
25 earlier testimony some of the reasons why I didn't

1 do -- why I didn't look further beyond where we  
2 were looking in the immediate vicinity is because  
3 in my conversations with AT&T our search area kind  
4 of encompassed about a quarter of a mile. And  
5 that's the reason why I didn't really look at  
6 that.

7 MR. SKELLY: I'm sorry, I didn't mean  
8 to interrupt you. Do you have anything more to  
9 add?

10 THE WITNESS (Coppins): No, that's  
11 fine.

12 MR. SKELLY: So if you limited the  
13 search to a quarter of a mile from 43 Osgood  
14 Avenue, you weren't going to come anywhere close  
15 to any of the existing 11 tower sites located  
16 within the City of New Britain, correct?

17 THE WITNESS (Coppins): As it looks on  
18 the map, no, I probably wouldn't have.

19 MR. SKELLY: Okay. And assuming that  
20 this gets approved and your company purchases 43  
21 Osgood Avenue, you have no current plans to  
22 redevelop that property, correct?

23 THE WITNESS (Coppins): I don't  
24 personally have any plans to redevelop that  
25 property. I'm not saying that we wouldn't do it



1 in the future or hire somebody to possibly do it  
2 as a lease issue.

3 MR. SKELLY: Would you agree that it  
4 would be difficult to redevelop that building for  
5 economic use with a cell tower right next to it on  
6 the same piece of property?

7 THE WITNESS (Coppins): I would not  
8 agree with that, no.

9 MR. SKELLY: So you think that property  
10 could be marketable even though there's going to  
11 be a cell tower on the site? And when I say  
12 "marketable," I mean marketable for economic  
13 development.

14 THE WITNESS (Coppins): I absolutely  
15 believe that to be true that it would be possible  
16 to develop that site for some other use.

17 MR. SKELLY: What kinds of other use  
18 would you be talking about?

19 THE WITNESS (Coppins): I mean, it  
20 could be anywhere from a storage facility to  
21 earlier asked about a community center or  
22 apartments. I mean, there's many uses for that  
23 that can be used.

24 MR. SKELLY: Do you think an apartment  
25 complex would be a viable economic development

1 with a cell tower on the same lot?

2 THE WITNESS (Coppins): Sure. I mean,  
3 there are apartment complexes, there's community  
4 centers with towers next to them already. I don't  
5 think this would be much different.

6 MR. SKELLY: Thanks. One of your  
7 interrogatory responses, it might not be you, it  
8 may have been one of your co-employees, said that  
9 they don't expect to do any blasting at this site.

10 THE WITNESS (Coppins): That's correct,  
11 we don't anticipate any blasting at the site.

12 MR. SKELLY: Is it possible that  
13 blasting may be required?

14 Is it possible that blasting may be  
15 required?

16 THE WITNESS (Coppins): Mr. Roberts can  
17 answer that question.

18 THE WITNESS (Roberts): Yeah. We  
19 wouldn't know until we did geotechnical  
20 investigation. I would imagine that we wouldn't  
21 have to blast. There are other means to remove  
22 rock other than blasting. We can use hammers on  
23 machines to chip away at it. There's also a means  
24 to drill into the rock, use expandable Betonamit  
25 to break the rock into more manageable pieces. We

1 wouldn't blast. You know, there's residents right  
2 next door, residential properties. That wouldn't  
3 be an option for us.

4 MR. SKELLY: All right. That's all the  
5 questions I have. Thanks.

6 MR. EDELSON: Thank you. You caught me  
7 off guard there. I thought you were going to go  
8 on a little longer, but that's okay.

9 Let's see, I think at this point then  
10 we are going to move on to the appearance by AT&T.  
11 And if Attorney Regan could present his panel so  
12 that we could have the oath administered by  
13 Attorney Bachman.

14 MR. REGAN: Thank you, Mr. Edelson.  
15 Yes, my panel is Hollis Redding and Martin Lavin,  
16 both of whom are here. I would note my panel will  
17 include Doug Roberts, but Mr. Roberts has already  
18 been sworn in as part of the applicant's  
19 testimony, so he does not need to be sworn in  
20 again.

21 M A R T I N J. L A V I N,

22 H O L L I S M. R E D D I N G,

23 having been first duly sworn (remotely) by  
24 Attorney Bachman, were examined and testified  
25 on their oath as follows:

1 D O U G L A S R O B E R T S ,

2 having been previously duly sworn (remotely)  
3 continued to testify on his oath as follows:

4 MS. BACHMAN: Thank you.

5 MR. REGAN: Thank you. Thank you, Mr.  
6 Edelson. Now, if I may move on to verifying our  
7 exhibits and getting them entered as full  
8 exhibits.

9 MR. EDELSON: Please.

10 DIRECT EXAMINATION

11 MR. REGAN: Thank you. The intervenor  
12 AT&T has three exhibits listed, 1, 2 and 3, the  
13 request to intervene, responses to Siting Council  
14 interrogatories, dated July 7, 2021, and our  
15 prehearing submission, July 13, 2021.

16 Regarding each of the exhibits, I would  
17 like each of Mr. Lavin, Ms. Redding and Mr.  
18 Roberts to answer the following questions. I'll  
19 go through each question for each witness starting  
20 with Ms. Redding. Did you prepare or assist in  
21 the preparation of these exhibits?

22 THE WITNESS (Redding): Yes, I did.

23 MR. REGAN: Are there any corrections,  
24 modifications or clarifications to any of these  
25 exhibits?

1 THE WITNESS (Redding): No, there are  
2 not.

3 MR. REGAN: Are these exhibits true and  
4 accurate to the best of your knowledge?

5 THE WITNESS (Redding): Yes.

6 MR. REGAN: And do you accept these  
7 exhibits as your testimony today?

8 THE WITNESS (Redding): I do.

9 MR. REGAN: Thank you. Mr. Lavin, with  
10 regard to the exhibits, AT&T exhibits 1 through 3,  
11 did you prepare or assist in the preparation of  
12 these exhibits?

13 THE WITNESS (Lavin): Yes, I did.

14 MR. REGAN: Are there any corrections,  
15 modifications or clarifications to any of these  
16 exhibits?

17 THE WITNESS (Lavin): No, there are  
18 not.

19 MR. REGAN: Are these exhibits true and  
20 accurate to the best of your knowledge?

21 THE WITNESS (Lavin): Yes, they are.

22 MR. REGAN: And do you accept them as  
23 your testimony here today?

24 THE WITNESS (Lavin): Yes, I do.

25 MR. REGAN: Thank you, Mr. Lavin.

1                   Lastly, Mr. Roberts, did you prepare or  
2 assist in the preparation of AT&T Exhibits 1  
3 through 3?

4                   THE WITNESS (Roberts): Yes, I did.

5                   MR. REGAN: Are there any corrections,  
6 modifications or clarifications to any of these  
7 exhibits?

8                   THE WITNESS (Roberts): No, there is  
9 not.

10                  MR. REGAN: Are these exhibits true and  
11 accurate to the best of your knowledge?

12                  THE WITNESS (Roberts): Yes, they are.

13                  MR. REGAN: And do you accept them as  
14 your testimony here today?

15                  THE WITNESS (Roberts): I do.

16                  MR. REGAN: Thank you. I would ask  
17 that AT&T's Exhibits 1 through 3 be admitted as  
18 full exhibits.

19                  MR. EDELSON: Thank you, Mr. Regan.  
20 Before I do that, I want to ask the other parties  
21 if they object to the admission of AT&T's  
22 exhibits.

23                  Attorney Ball?

24                  MR. BALL: No objection, Mr. Edelson.  
25 Thank you.

1 MR. EDELSON: Attorney Skelly?

2 MR. SKELLY: No objection, sir.

3 (New Cingular Wireless PCS, LLC (AT&T)  
4 Exhibits III-B-1 through III-B-3: Received in  
5 evidence - described in index.)

6 MR. EDELSON: Okay. So we'll begin our  
7 cross-examination of AT&T by the Council starting  
8 with Mr. Perrone followed by Mr. Silvestri.

9 Mr. Perrone, it's all yours.

10 CROSS-EXAMINATION

11 MR. PERRONE: Thank you, Mr. Edelson.  
12 Within a 4 mile radius did AT&T consider sites  
13 within the Council's comprehensive database which  
14 may include existing rooftop or other non-tower  
15 array facilities?

16 THE WITNESS (Redding): As far as I  
17 know, the original -- this is Hollis Redding --  
18 the original site acq person, Dan Bilezikian, he  
19 did the initial scrub. He did review the Siting  
20 Council database.

21 MR. PERRONE: For example, did AT&T  
22 look at an existing rooftop facility at Franklin  
23 Square at the New Britain YWCA?

24 THE WITNESS (Redding): I don't have  
25 that on my scrub list, no.

1 THE WITNESS (Lavin): This is Martin  
2 Lavin. That is the, the YWCA is across the street  
3 from the Siting Council offices?

4 MR. PERRONE: Yes.

5 THE WITNESS (Lavin): Yes, that's  
6 1,800. Going from our proposed site, that  
7 building is 1,800 feet past our site number at  
8 Columbia and Washington on the parking garage, so  
9 it's too far away, and it's on the other side of  
10 an existing site.

11 MR. PERRONE: In general, did AT&T  
12 consider additional small cell installations at  
13 existing small cell sites?

14 THE WITNESS (Lavin): Not at existing  
15 small cell sites. I mean, it was considered, but  
16 a macro tower is always our first approach to  
17 these things. This is an urban, a more urban  
18 environment than a lot of others we've looked at  
19 recently, but we run into problems where, if this  
20 is primary service for this area, for the coverage  
21 gaps there's no long term back-up power for small  
22 cells. I'm thinking in terms of strand height on  
23 utility poles here. And there's a lot of  
24 complexity. There's disruption. We've got, my  
25 estimate was it would take at least 12 small cells



1 to replicate the minus 83 dBm high quality  
2 in-building coverage that we're getting from this  
3 site, just the new coverage. When we're looking  
4 at doing a dozen small sites instead of one macro  
5 site, it gets into a lot of problems with -- and  
6 that's taking the infrastructure as being  
7 available. As we get down to street level and  
8 start looking at specific poles, those numbers  
9 usually go up.

10 We were looking at issues of how high  
11 we can go on the poles. I took a quick look at  
12 the poles in this area. They all seemed to have  
13 power running over the top which keeps us off of  
14 there, generally speaking. The condition of the  
15 poles affects how much we can put on them. The  
16 placement of other providers on the pole can drive  
17 us down to maybe 20 or 25 feet, no more than that  
18 in some cases.

19 We're talking about putting stuff, you  
20 know, equipment cabinets up on the pole, if the  
21 pole will even support it, and antennas in front  
22 of a dozen houses and across the street from a  
23 dozen more, putting the visual clutter right at  
24 eye level of people. The small cells can't  
25 always, if we have to use very small cells to hang

1 on the light-duty poles or poles that aren't in  
2 such great condition, those smaller small cells  
3 don't necessarily support all of our frequencies.

4 We're looking at being vulnerable to  
5 like a traffic incident, someone clips a telephone  
6 pole can take out interconnect and power for all  
7 the small cells down the line from there. And as  
8 I said before, what height is available to us at  
9 various pole by pole, I think Mr. Gaudet can  
10 probably speak to the complexities of pole by pole  
11 exactly what we're able to do.

12 MR. PERRONE: On that topic, back to  
13 the back-up power, can you install battery back-up  
14 on the poles for small cells?

15 THE WITNESS (Lavin): For short term to  
16 get us over the bumps and power maybe an hour or  
17 two of backup. But in any lengthy outage of  
18 commercial power we would basically lose all the  
19 coverage from all those small cells.

20 MR. PERRONE: Would the proposed  
21 facility interact with any small cells?

22 THE WITNESS (Lavin): If there were any  
23 in the area, yeah, if small cells exist in the  
24 switch, they'll hand off traffic one to the other.  
25 They function from a network perspective

1 interacting wise like as if they were macrocells.

2 MR. PERRONE: Can small cells support  
3 FirstNet service?

4 THE WITNESS (Lavin): Yes, they do.  
5 FirstNet is 700 megahertz. If we have, well, 700  
6 megahertz small cells which tend to be larger than  
7 the, and so do the antennas, than the PCS ones.  
8 They would make band 14 priority service available  
9 to FirstNet.

10 MR. PERRONE: Regarding the prefilled  
11 testimony of Mr. Coppins and Mr. Lavin, from an RF  
12 perspective could you explain in more detail why  
13 the 1780 Corbin Ave. and the 470 Osgood Ave. sites  
14 would not be viable?

15 THE WITNESS (Lavin): Those were the  
16 last two, numbers 14 and 15 on the site search,  
17 1780 Corbin and 470 Osgood?

18 MR. PERRONE: That's right.

19 THE WITNESS (Lavin): Okay. The  
20 distance from the search ring, they're over a mile  
21 away. The gap we're trying to address is  
22 immediately to the south of the proposed site, so  
23 anything a mile away isn't going to be able to  
24 reach.

25 MR. PERRONE: In the RF report it

1 mentions that FirstNet is a federal agency. Does  
2 FirstNet provide specific feedback to AT&T  
3 regarding which areas require public safety  
4 enhancement?

5 THE WITNESS (Lavin): I would say  
6 stronger than feedback; direction.

7 MR. PERRONE: To what level of detail  
8 as far as the site locations?

9 THE WITNESS (Lavin): Any site, I  
10 believe, that gets FirstNet support and funding is  
11 approved by FirstNet.

12 MR. PERRONE: Back to the RF report in  
13 the application, which is Exhibit E, page 4 on  
14 that. For the secondary road coverage, the  
15 proposed incremental is 3.9 miles. Do you have  
16 like an existing coverage gap for secondary to go  
17 with that number?

18 THE WITNESS (Lavin): We could develop  
19 one. Yes, I know we did one for main, I think we  
20 did one for main road coverage. We could do one  
21 for secondary road coverage as well.

22 MR. PERRONE: Okay. On page 2 of the  
23 RF report (AUDIO INTERRUPTION) road coverage?

24 THE WITNESS (Lavin): Page 2, yes.

25 MR. PERRONE: Okay. Also in the RF

1 report, attachment 4, which is the plot that takes  
2 into account the proposed site, down in the  
3 southwest portion of this plot I still see a gap  
4 around the southern portion of Corbin Avenue.  
5 Does AT&T have any plans to cover that area?

6 THE WITNESS (Lavin): I don't know of  
7 any plans at the moment. That's shaded by  
8 terrain, intervening terrain between the proposed  
9 site and Corbin Road in that direction.

10 MR. PERRONE: Okay. Does AT&T have  
11 plans to deploy 5G Plus at this site in the  
12 future?

13 THE WITNESS (Lavin): I don't know  
14 about the future. It's not part of the initial  
15 rollout.

16 MR. PERRONE: And just to clarify,  
17 could you give us the frequency bands associated  
18 with PCS, AWS and WCS?

19 THE WITNESS (Lavin): Yes, it's 1900  
20 megahertz for PCS. AWS actually straddles PCS,  
21 it's at 1700 and 2100. It's an odd arrangement.  
22 And WCS is 2300 megahertz.

23 MR. PERRONE: Lastly, we'll go back to  
24 the response to Council Interrogatory 23 to the  
25 applicant where it gets into stealth tower

1 designs. I'd like to ask you about how these  
2 various designs could affect things from an RF  
3 perspective. So going back to number 23, for the  
4 first bullet point it talks about a close contact  
5 array. In the case of a close contact array could  
6 you tell us how that may affect coverage?

7 THE WITNESS (Lavin): This is the  
8 response to interrogatory, July 7th, from New  
9 Cingular Wireless?

10 MR. PERRONE: To Arx.

11 THE WITNESS (Lavin): Oh, okay. For a  
12 stealth tower design --

13 MR. PERRONE: Yes.

14 THE WITNESS (Lavin): -- I think for us  
15 we would have to have three levels on the tower,  
16 stack our three antennas per sector vertically. I  
17 think it was in response to, we responded to one  
18 of the interrogatories. One of ours was for that  
19 as well. We would need three levels on a --  
20 Interrogatory 17 for us, yeah, we would need to  
21 occupy three 10-foot sections of the tower instead  
22 of just one.

23 MR. PERRONE: Would that lead to  
24 needing an extra 20 feet in height or how would  
25 that work?

1 THE WITNESS (Lavin): Ideally, yeah,  
2 and for other subsequent occupants of the tower,  
3 tenants, I'm thinking they'd have to have at least  
4 two, generally speaking.

5 MR. PERRONE: Okay. And bullet point  
6 number 2 gets into the unipole design which is a  
7 larger diameter structure. How would that affect  
8 RF?

9 THE WITNESS (Lavin): A unipole being a  
10 flagpole shrouded?

11 MR. PERRONE: Yes.

12 THE WITNESS (Lavin): The stacking of  
13 the antennas would be the same. It would just be  
14 enclosed in a radome. From an RF perspective,  
15 they would have the same problems. It would still  
16 need to have three antennas stacked vertically.

17 MR. PERRONE: And lastly, the monopine  
18 design.

19 THE WITNESS (Lavin): Monopine with  
20 platforms wouldn't affect RF at all. The height  
21 would be exactly the same. The branches are  
22 transparent. We still have the platform with the  
23 three antennas per sector. So from an RF  
24 standpoint for AT&T that wouldn't change anything.

25 MR. PERRONE: Lastly, I have a couple

1 construction questions for AT&T. What is the  
2 maximum height of your walk-in equipment cabinet  
3 above grade?

4 THE WITNESS (Lavin): I don't know what  
5 that is offhand. Hollis?

6 THE WITNESS (Redding): I don't know.  
7 Maybe Mr. Roberts knows.

8 THE WITNESS (Roberts): I believe it's  
9 around 7 feet tall. I can double check on that  
10 and get back to you though.

11 MR. PERRONE: And AT&T consulted with  
12 Arx on the generator, and they're planning the  
13 natural gas fueled generator?

14 THE WITNESS (Roberts): Yes.  
15 Obviously, we had the Milford hearing most  
16 recently, and we took an opportunity, knowing that  
17 there was gas available in this neighborhood, to  
18 utilize the natural gas generator here as well.

19 MR. PERRONE: And one last question on  
20 the generator topic. Is it correct to say that an  
21 air permit would not be required for the  
22 generator?

23 THE WITNESS (Roberts): That is  
24 correct.

25 MR. PERRONE: Thank you. That's all I



1 have.

2 THE WITNESS (Redding): Mr. Perrone.

3 MR. PERRONE: Yes.

4 THE WITNESS (Redding): The cabinet  
5 would be 9 feet tall.

6 MR. PERRONE: Okay. Thank you.

7 MR. EDELSON: Thank you, Mr. Perrone.

8 And now we'll turn it over to Mr. Silvestri  
9 followed by Mr. Hannon.

10 MR. SILVESTRI: Thank you, Mr. Edelson.  
11 I'd like to start with Interrogatory Number 21 and  
12 your response. Am I correct that no battery  
13 backup is being proposed to either bridge the gap  
14 before the generator kicks in, in the event of a  
15 power failure, or to provide additional back-up  
16 power?

17 THE WITNESS (Lavin): There is battery  
18 backup. The equipment always runs off DC which  
19 means it's always running off the DC plant which  
20 charges the batteries and keeps them there. The  
21 batteries get us, in the event of a short outage,  
22 the batteries get us through the short period for  
23 the generator to fire up and take over powering,  
24 but there is battery backup.

25 MR. SILVESTRI: That's what I thought,

1 Mr. Lavin. I didn't see it, which is why I asked  
2 the question, because I don't recall ever seeing  
3 an application that didn't have some type of  
4 battery backup. So thank you.

5 THE WITNESS (Lavin): The site would go  
6 down otherwise in between so --

7 MR. SILVESTRI: Exactly. Thank you.  
8 If you could turn to the interrogatory that has  
9 the coverage plots. I have one question for you  
10 on the existing and proposed WCS coverage plot.  
11 It was the last page --

12 THE WITNESS (Lavin): Yes.

13 MR. SILVESTRI: -- in the interrogatory  
14 submittal. Do you have that?

15 THE WITNESS (Lavin): Yes, I do.

16 MR. SILVESTRI: Question for you. Why  
17 doesn't the proposed coverage with WCS expand more  
18 to the east towards Eddy Glover Boulevard?

19 THE WITNESS (Lavin): Why doesn't it  
20 expand more in that direction?

21 MR. SILVESTRI: Yes.

22 THE WITNESS (Lavin): Okay. I'm not  
23 entirely sure exactly. I don't think it's  
24 terrain, but I'd have to double check here.

25 MR. SILVESTRI: If you look at the one

1 before that, it has existing coverage, you could  
2 see a lot of quote/unquote white to the east of  
3 the proposed site.

4 THE WITNESS (Lavin): Yes.

5 MR. SILVESTRI: And then when you turn  
6 to the one for WCS, you have other coverage that's  
7 further east but there's that gap that's right  
8 around Eddy Glover Boulevard.

9 THE WITNESS (Lavin): It picks up some  
10 there. It's a matter of, I think, the frequency.  
11 I'm not entirely sure exactly why that does such a  
12 poor job of getting over there, but I can look  
13 into exactly what the intervening terrain and  
14 clutter are.

15 MR. SILVESTRI: Yeah, that would be  
16 helpful. Thank you. Now I'd like to get back to  
17 all the site search questions that were lateraled  
18 to AT&T that I had posed earlier.

19 THE WITNESS (Lavin): Yes.

20 MR. SILVESTRI: The first question I  
21 have, do you have small cells, rooftop cannister,  
22 faux, whatever, in the general area that we're  
23 talking about?

24 THE WITNESS (Lavin): Based on the  
25 existing network as laid out in the RF report, I

1 don't think we have -- 732 Slater Road is only 51  
2 feet. 1500 New Britain is 52 feet. We have some  
3 short RAD centers, but I don't know exactly what  
4 those facilities are constructed on.

5 MR. SILVESTRI: But they seem to be  
6 further away from the area than other facilities  
7 that I had brought up before, would that be a  
8 correct statement?

9 THE WITNESS (Lavin): I believe so.

10 MR. SILVESTRI: Okay. Because the  
11 thing that's puzzling to me on this whole  
12 application and the area itself, as I mentioned  
13 before, I found a number of rooftop, steeple,  
14 light pole, utility pole, faux chimney,  
15 smokestack, et cetera, applications where we have  
16 your competitors that are there from T-Mobile to  
17 Sprint to Cingular, et cetera. And I'm kind of  
18 questioning, well, if they could do it, how come  
19 you can't do it?

20 THE WITNESS (Lavin): I think we  
21 were -- you mentioned Spring Street, Myrtle  
22 Street, Grove Street?

23 MR. SILVESTRI: Yeah, I had Osgood  
24 Avenue, Slater Road. Burritt Street has the  
25 church steeple. Somewhere else on Osgood Avenue I

1 have T-Mobile. Spring Street has the Regency  
2 Apartments, a couple facilities on Myrtle Street  
3 and Grove Street. Those are the ones I  
4 highlighted in particular.

5 THE WITNESS (Lavin): In the case of  
6 Slater and Osgood, DiLoreto Middle School, that's  
7 ours, CT5419, the last --

8 MR. SILVESTRI: That is yours?

9 THE WITNESS (Lavin): Yes.

10 MR. SILVESTRI: Okay. Keep going.

11 THE WITNESS (Lavin): I know from that  
12 we were talking about Spring Street, Myrtle  
13 Street, Rowe Street. From what I could tell,  
14 those were just too far away to reach this gap.  
15 And I don't know, the site search, I don't know,  
16 Hollis could elaborate perhaps, I don't think  
17 there are too many available rooftops in the area  
18 that could be put to use. And I think we have, we  
19 have some more information, I think, on one of the  
20 churches there, Hollis?

21 THE WITNESS (Redding): We looked at  
22 the church at 210 Farmington Avenue where T-Mobile  
23 is installed in there now. And we spoke with the  
24 church, and they were not interested in having  
25 more antennas on the property.

1 MR. SILVESTRI: Okay. And again, I  
2 have brought up what I consider a hybrid  
3 alternative, you know, putting maybe a couple  
4 flagpoles in the area as opposed to one tall  
5 monopole. I had posed the question earlier to  
6 Arx, you know, could a combined structure, say  
7 using the faux church steeple at 92 McClintock  
8 Street, which is St. Thomas Assyrian Church, and a  
9 small cell maybe at Crystal Ballroom at 211  
10 Farmington Avenue work, or some type of  
11 combination, did you look at what I call the  
12 hybrid types of combining different types of  
13 flagpoles with different types of rooftop small  
14 cells?

15 THE WITNESS (Lavin): From an RF  
16 standpoint, we haven't really because there wasn't  
17 anything that looked like it would -- that means  
18 going to a multi-site solution, and our objective  
19 is always to try to prevent the, as the statutes,  
20 unnecessary proliferation of towers. I don't  
21 think there was anything close enough, available  
22 and close enough that we identified through the  
23 site search that would help with this gap and be  
24 something we could lease. I mean, we could  
25 certainly look into it again but --

1 MR. SILVESTRI: No, I appreciate your  
2 comment on the unnecessary proliferation of  
3 towers. What I'm looking at is not to have a  
4 tower but to have something else that is disguised  
5 but still works. So that's where my comment came  
6 from because the flagpoles would, in my opinion,  
7 be shorter, the rooftop assemblies would be  
8 shorter, you could disguise them as chimneys, as  
9 whatever it may be, that it would kind of blend in  
10 better, I think. But I still go back to what's  
11 ingrained in my head that, you know, small cells I  
12 keep hearing not suitable for rural, not suitable  
13 for suburban, but they are suitable for urban, and  
14 here we are urban and I keep questioning why won't  
15 it work.

16 THE WITNESS (Lavin): I think it's -- I  
17 wouldn't say it's not going to work. I think for  
18 the reasons I've said earlier, it's definitely not  
19 a preferred solution. It never turns out to work  
20 as well as we would hope. There's a lot of --  
21 it's got to be based on the actual infrastructure  
22 in the area pole by pole, and it's really for an  
23 even denser area. I mean, small cells go on  
24 rooftops and there's no difference. A small cell  
25 on a rooftop or a macrocell on a rooftop look an

1 awful lot alike. But nothing I'm aware of in the  
2 site search really gave us the height to give us  
3 the coverage we wanted without running into at  
4 least a dozen different small cells on poles. And  
5 I know people hear about small cells and they want  
6 them, but oftentimes in other areas we've had, you  
7 know, municipalities sue over small cells.

8 MR. SILVESTRI: I appreciate your  
9 comments, Mr. Lavin, don't get me wrong on that.  
10 Again, I get hung up on the urban concept, and I  
11 also look at what I found through the state  
12 comprehensive database of telecommunications  
13 sites. And again, I see T-Mobile, I see Sprint, I  
14 see Cingular, et cetera, and I kind of keep saying  
15 to myself somehow it looks like they made it work.  
16 And that's why I trying to take that and say,  
17 okay, how could AT&T make it work along the same  
18 concepts. I hope you understand what I'm trying  
19 to say.

20 THE WITNESS (Lavin): Yes, I do. I  
21 don't mean to write them off completely. It's  
22 just, from AT&T's perspective, it's a better  
23 option all around to have one facility with a  
24 generator backup and some fairly limited  
25 visibility instead of putting them out on the



1 poles all over town and starting with what I think  
2 would have to be at least a dozen. And then that  
3 theory meets the reality of the poles in the area  
4 and the numbers start climbing.

5 MR. SILVESTRI: Just one last question  
6 that I had posed earlier to Arx, and let me throw  
7 this one out at you too. This goes back to the 52  
8 Derby Street facility which now is a storage  
9 facility as opposed to a church steeple. But the  
10 question I pose, would a fake flagpole there and a  
11 flagpole say at 43 Osgood Avenue or some other  
12 location, would something like that work to cover  
13 what you need to cover?

14 THE WITNESS (Lavin): I'll certainly  
15 look at Derby Street again, 52 Derby, and see  
16 what's possible to do there and how well that  
17 works for us.

18 MR. SILVESTRI: Fair enough. Mr.  
19 Edelson, I think I've exhausted the questions that  
20 I have, and I thank you.

21 MR. EDELSON: Thank you, Mr. Silvestri.  
22 So I'll turn now to Mr. Hannon and then  
23 follow with Mr. Nguyen.

24 MR. HANNON: Thank you, Mr. Edelson.  
25 So I'll go back to the question I raised earlier.

1 In looking at sort of the coverage maps, assuming  
2 that this cell tower is approved, there are a  
3 couple of areas where it seems as though there's  
4 not a whole lot of coverage, one is over on Allen  
5 Street, the other is over by Corbin Avenue, Alden,  
6 in that area. So my question would be, if you  
7 fill in most of this gap, you have these couple of  
8 spots left over, is that something that you might  
9 utilize a small cell for trying to cover that  
10 outstanding gap in your service coverage area?

11 THE WITNESS (Lavin): It would be  
12 something we definitely would look at, if the area  
13 is small enough because these don't, a small cell  
14 on strand height on a row doesn't cover very much,  
15 existing infrastructure availability, pole  
16 availability, backhaul. It's certainly something  
17 we'd consider for the --

18 MR. HANNON: Excuse me. In terms of  
19 installing the small cell technology, do those  
20 typically come with some type of back-up power or  
21 not?

22 THE WITNESS (Lavin): They can have  
23 some short-term battery back-up power, but in a  
24 real, you know, more than two to four hour outage  
25 there's no way to put enough battery out there to

1 keep them going.

2 MR. HANNON: Okay. And you're not  
3 running any type of electrical lines, things of  
4 that nature, to them, correct?

5 THE WITNESS (Lavin): I'm fairly  
6 certain Eversource would not let us be our own  
7 power company, no.

8 MR. HANNON: Okay.

9 THE WITNESS (Lavin): Power over  
10 Ethernet won't go that far.

11 MR. HANNON: Just to follow up with a  
12 comment that you just made a little earlier to Mr.  
13 Silvestri where you said you thought maybe it  
14 would be a dozen small cells in this area if it  
15 ended up going small cell. But my question is, if  
16 you have, say, a dozen of these small cells and  
17 one of them goes out, what does that do for  
18 network coverage? I mean, is there a lot of  
19 overlap between small cells, or would that in  
20 essence help take down the network in general?

21 THE WITNESS (Lavin): There generally  
22 isn't. The degrading of signal as you move away  
23 from a macro site is much more gradual. A small  
24 cell, even if it's line of sight, one over D  
25 squared, as we call it, that drops as the square

1 of the distance, you're talking about losing, the  
2 same amount you'd lose in a macrocell going from  
3 one mile to two miles, you'd lose from 100 feet to  
4 200 feet. And it rolls off very quickly. There's  
5 usually not much overlap, and it's a very quick  
6 hand-over decision when the mobile reports that  
7 it's losing signal and it puts in a fairly urgent  
8 request for a hand-off to the next one, and  
9 hopefully you make it.

10 MR. HANNON: Okay. I don't have  
11 anything else. Thank you, Mr. Edelson.

12 MR. EDELSON: Okay. Thank you. Let's  
13 see, Mr. Nguyen had to leave, so I think it goes  
14 to Mr. Lynch. Are you still with us? I think he  
15 is.

16 MR. LYNCH: I am, Mr. Edelson. I just  
17 had to get off mute for a second.

18 MR. EDELSON: No problem.

19 MR. LYNCH: Two follow-up questions and  
20 then an opinion from Mr. Lavin. Mr. Lavin, if  
21 your basic backhaul trunk system for phone goes  
22 down, what happens to your site?

23 THE WITNESS (Lavin): Any site, small  
24 cell, macrocell or otherwise that loses  
25 interconnect loses its ability to process any

1 calls.

2 MR. LYNCH: Would that in a sense make  
3 the cell site a dead site until you could get, I  
4 guess, it's Frontier or AT&T to come in and fix  
5 that phone line?

6 THE WITNESS (Lavin): Yes. But I  
7 believe AT&T, like most operators, has redundant  
8 routing whenever possible, interconnect from  
9 perhaps two different providers, if they are  
10 available, and also make sure that it's not just  
11 two strands in the same bundle of fiber.

12 MR. LYNCH: My next question would be,  
13 is there any agreement with AT&T, or I guess they  
14 now own Frontier, to have a priority to get that  
15 cell site fixed?

16 THE WITNESS (Lavin): Offhand I don't  
17 know. I don't think, I'm not aware of any special  
18 treatment that AT&T would get.

19 MR. LYNCH: Thank you. And just, we've  
20 been talking a little bit about small cell sites.  
21 Do those sites like in a DAS system have to report  
22 back to a basic, you know, cellular tower or can  
23 they run independently?

24 THE WITNESS (Lavin): DASs and small  
25 cells are two different things. DASs distribute

1 the antenna. There is a base station somewhere  
2 that is responsible for all the antennas and the  
3 DAS nodes distributed over the area. It provides  
4 everything for them. They are, DAS nodes are a  
5 hundred percent dependent on a cell site  
6 somewhere, sometimes in a hotel, as we call it, in  
7 a warehouse, somewhere remoting signal out to  
8 those sectors. For a small cell it operates  
9 independently. As long as it has interconnection,  
10 it can keep going even if other small cells are  
11 dropping off the network.

12 MR. LYNCH: Thank you for that  
13 clarification. I wasn't really sure. Now, I want  
14 to ask you your opinion on something. In your  
15 industry it's moving so rapidly that I've been  
16 here when analog technology was the thing of the  
17 future --

18 THE WITNESS (Lavin): Yes.

19 MR. LYNCH: -- but now that's long  
20 since gone. And everything I'm reading says that  
21 the present technology of smartphones and tablets  
22 within the next couple of years are also going to  
23 be obsolete like analog was. Could you comment on  
24 that?

25 THE WITNESS (Lavin): I think the

1 concept of a smartphone has very little chance of  
2 becoming obsolete. It may change its form,  
3 tablets or the phones people have in their  
4 pockets, or anything of that nature, but I think  
5 the idea of a device that can access, has a very  
6 high resolution screen, it can access the internet  
7 at ever increasing speeds is not likely to go out  
8 of style any time soon unless there's some hugely  
9 disruptive device being developed by someone that  
10 I don't know about.

11 MR. LYNCH: I guess the key phrase is  
12 ever increasing speed. Thank you, Mr. Lavin, for  
13 your comments.

14 THE WITNESS (Lavin): Thank you.

15 MR. LYNCH: I'm all set, Mr. Edelson.

16 MR. EDELSON: Okay. Thank you, Mr.  
17 Lynch.

18 Ms. Cooley, it's all yours.

19 MS. COOLEY: Thank you, Mr. Edelson. I  
20 have just a few questions. I'm hopeful that, Mr.  
21 Lavin, you can clarify some things for me because  
22 this is actually all new technology to me as well.  
23 In listening to all of this, especially Mr.  
24 Silvestri's comments about small cell technology,  
25 my understanding, like his, was that this is

1 something that would be more valuable in a more  
2 urban area, and yet, you know, what it seems like  
3 we're still sort of stuck with is the large  
4 monopole design is still the most effective or  
5 efficient design. So, in your experience, when do  
6 you use small cells, are they only used for  
7 fill-in when there isn't a large pole that can do  
8 it, is that it, and have you ever designed or been  
9 involved with a design that instead of using a  
10 large pole does use maybe smaller poles combined  
11 with small cell technology, is that something that  
12 isn't done simply because it's not as effective or  
13 efficient, or is it simply not done because it's  
14 not cost effective?

15 THE WITNESS (Lavin): We're still, even  
16 here it's a combination of trying to increase  
17 capacity and do area coverage. We've got  
18 six-tenths of a square mile that doesn't have  
19 in-building coverage. The most efficient and  
20 effective way to provide that is a macro site. It  
21 looks down at everything. It doesn't go through  
22 the trees except the ones probably on the edge of  
23 your property that keep you from seeing the cell  
24 tower at any given moment. To do it from strand  
25 height with a small cell hanging on a pole, you go



1 through the foliage just about every inch of the  
2 way in many cases, and foliage eats up our signal,  
3 especially the high band. In this area it's very  
4 important for capacity to have PCS, AWS and WCS  
5 coverage as much as they can. So being at strand  
6 height, they get hit very hard by foliage losses.

7           Going back to the original FCC  
8 proceeding, we were making measurements and  
9 submitting them to the FCC, this is the early  
10 nineties, and a five-story building transmitter we  
11 were measuring on the road, we were measuring  
12 minus 60, minus 50. We turned into a suburb, this  
13 was at PCS frequencies, we made a left turn into  
14 the residential area nearby that had a tree  
15 canopy, and all of a sudden we were at neg 110.  
16 Foliage really hits us.

17           And this is really, when you're in a  
18 macro site you eliminate an entire area,  
19 everything in there you get. When you put small  
20 cells on poles, you get the houses on either side,  
21 the street, and maybe an eighth of a mile in each  
22 direction. It's ribbons really of coverage. If  
23 you've got a substantial area, you really end up  
24 putting one or two of these on every street, and  
25 you don't really get the overall coverage that you

1 want, everybody, you know, evenly covered, which  
2 is very efficient. You end up just having to put  
3 so much structure in and infrastructure in to  
4 serve people it's ineffective and inefficient.

5 It really is -- I've certainly done  
6 small cells, I have put small cells on top of  
7 shopping plazas, convenience stores, in areas  
8 generally in Long Island and places like that  
9 where there's so much traffic you can put in a 20  
10 foot high site in a relatively unfoliated area  
11 with Long Island's lovely flat terrain and get  
12 what you need to because the next site is two,  
13 three blocks away.

14 It's a different situation here.  
15 That's really where they work their best when  
16 there's the real density to fill in either for  
17 some residual coverage gaps or mostly to bring in  
18 capacity to areas. AT&T has put things in, things  
19 in Hartford. I know in the Kent docket the  
20 opponents brought up a small cell that was going  
21 in in Hartford, but it was going in in what looked  
22 more or less like a used car lot with no trees  
23 around on one of the busiest streets in Hartford  
24 just as a way to bring capacity to that area that  
25 was desperately needed.

1 MS. COOLEY: Okay. And then I guess my  
2 other question, and this is just sort of another  
3 technical clarification is, is the FirstNet  
4 service available to be served with small cell?

5 THE WITNESS (Lavin): Yes. The  
6 FirstNet, if you have a FirstNet device, you get  
7 FirstNet priority. Band 14 is what is the band  
8 that can be entirely given over to FirstNet in a  
9 case of a serious emergency. Not every small cell  
10 provides 700 megahertz service. The ones that do  
11 are larger, the antennas are larger. It's harder  
12 to hang them on poles. It's harder to put the  
13 antennas up on top. But the prioritized service  
14 is through band 14, and that's 700 megahertz. If  
15 you're at a cell -- if you're on one of those, the  
16 one that was at the used car lot in Hartford was  
17 PCS only, I believe, it would still serve FirstNet  
18 customers, but you wouldn't be able to clear out  
19 that frequency and kick everyone else off for an  
20 emergency. But that was an area where the 700  
21 megahertz coverage was continuous, and the lack of  
22 a PCS connection for a public safety person  
23 wouldn't really be any problem.

24 MS. COOLEY: All right. Thank you. I  
25 think that covers my questions. Thank you, Mr.

1 Lavin.

2 MR. EDELSON: Thank you, Ms. Cooley. I  
3 also have a few questions for you or for AT&T. As  
4 I mentioned before, on February -- I'm sorry, on  
5 March -- no, May 14th the application was  
6 submitted, and on May 28th the city objected, and  
7 in their objection they said that there was no  
8 proof of public need. So I would like to ask the  
9 people from AT&T, did you make any effort to  
10 explain to the City of New Britain why you believe  
11 there's a public need in this vicinity for  
12 coverage?

13 THE WITNESS (Lavin): This is Mr.  
14 Lavin. I didn't myself, no.

15 MR. EDELSON: And Ms. Redding, did you  
16 approach them or try to explain why AT&T believes  
17 there's a need?

18 THE WITNESS (Redding): No, I did not  
19 either.

20 MR. EDELSON: Okay. There is a sense I  
21 have of what I might call the Willie Sutton axiom  
22 here. As you probably know, when Willie Sutton  
23 was asked why he robbed banks, he said "That's  
24 where the money is." And my sense is the reason  
25 we put cell towers in residential areas is that's

1 where the customers are. And I'm not sure there  
2 is really another way to approach it.

3 But I would want to follow up on what  
4 Mr. Silvestri was asking with regard to the  
5 hybrid. I'm wondering, because a lot of these  
6 networks evolve, you really weren't, you know,  
7 somebody sat down with a master plan 20 years ago  
8 and said, well, here's the optimal place we will  
9 put all of the towers and antennas, it really more  
10 or less evolved. And I'm wondering, Mr. Lavin, in  
11 your experience have you seen where a macro tower  
12 goes in and providers who are using smaller  
13 facilities scattered around that might be either  
14 the DAS or small cells abandon those and say, you  
15 know what, it would be a lot more efficient and  
16 effective if we went onto a macro tower that has  
17 recently been located in that area. Is that an  
18 experience you've ever had, sir?

19 THE WITNESS (Lavin): I can't say I've  
20 seen anyone abandon a DAS. But certainly if the  
21 tower is there, between a tower and a DAS to cover  
22 the same area, the tower is the best choice. It  
23 will, single point of every bit of maintenance we  
24 do, every equipment changeout, changing antennas  
25 for all the frequencies that keep coming into use,

1 it's just the efficient and effective approach to  
2 providing service. I haven't seen anyone abandon  
3 a DAS. I suppose there are probably some who  
4 regret having gone on a DAS only to have a tower  
5 show up in that area.

6 MR. EDELSON: Okay. In Exhibit E it's  
7 pretty clear you only refer to 3G and 4G and the  
8 received thresholds for both of those.

9 THE WITNESS (Lavin): Yes.

10 MR. EDELSON: And I think you referred  
11 to this, but I just want to clarify. At this  
12 point are you saying AT&T is not rolling out 5G in  
13 Connecticut?

14 THE WITNESS (Lavin): From  
15 the interrogatory response, AT&T has two flavors  
16 of 5G, 5G and 5G Plus. 5G is provided at the same  
17 frequencies we normally use for 3G and 4G. In  
18 this case, I believe 850 will have a 5G carrier.  
19 It's narrowband and provides some additional  
20 capacity compared to 4G, but nothing drastic. The  
21 drastic change comes with 5G Plus which operates  
22 at 24 to 39 gigahertz, many times higher  
23 frequencies, pretty much strictly line of sight,  
24 and that has the disadvantage of being very high  
25 in frequency and having very limited coverage.

1 But the advantage of having much wider bandwidth,  
2 100 megahertz wide carriers instead of 2 and a  
3 half megahertz, and that's what's delivering the  
4 promised ultra-broadband, extremely high speed  
5 data. What's going in here will probably be that  
6 -- what's going in here, I believe 850 will have  
7 that small 5G carrier. There isn't anything  
8 slated right now that I'm aware of for the 5G Plus  
9 at the 24 to 39 gigahertz.

10 MR. EDELSON: That's very helpful  
11 because I've been asking questions and probably  
12 not knowing what I was asking half the time. But  
13 with what you just said, it sounds like if we go  
14 to the more expansive view or expansive offering  
15 of 5G, the super model, if you will, we would need  
16 more towers for that line of sight.

17 THE WITNESS (Lavin): In the areas  
18 where it's rolled out. It's most effective right  
19 now, it's being trialed more or less in places  
20 like the middle of Manhattan, Boston, downtown New  
21 Haven. There might be a site or two coming at  
22 some point to the very heart of New Britain,  
23 probably right around where the Siting Council  
24 offices are. That would be the primary area for  
25 that to start coming in. But it really is meant

1 for dense urban cores with extremely high demand  
2 to be a way to catch whoever you can and get them  
3 on the ultra-broadband and off the other systems  
4 to increase their capacity and usefulness.

5 MR. EDELSON: And so when I think of  
6 those kind of real urban areas, what I call an  
7 urban area like New York City, there you're  
8 talking more not a macro tower but more of the DAS  
9 or the small cells that would have that  
10 capability?

11 THE WITNESS (Lavin): Yeah, the 25 foot  
12 high tower that covers very little of the area  
13 we're trying to reach, you know, covers thousands  
14 of people in downtown Manhattan and midtown, you  
15 know.

16 MR. EDELSON: So now turning back to  
17 the more light version of 5G, Facebook is not a  
18 reliable source of information, but what I'm  
19 seeing is people telling me AT&T is offering, I  
20 think, and I might be getting it confused with  
21 T-Mobile, one is offering to swap people's phones  
22 out so they're 5G compatible, and some are  
23 offering SIM cards to replace. Is that what's  
24 necessary to take advantage of the 5G that would  
25 be on this macro tower?



1 THE WITNESS (Lavin): It mainly would  
2 take a phone that has that capability in there,  
3 that has the circuitry to demodulate and make  
4 sense of the 5G signal.

5 MR. EDELSON: So I should have asked  
6 first, is that a program of AT&T in the State of  
7 Connecticut right now?

8 THE WITNESS (Lavin): Not that I'm  
9 aware of yet. I've seen TV ads about swapping  
10 phones. It's a little late to the table for our  
11 industry to build it out and then switch the  
12 phones. Most operators presoak the market with  
13 capable phones, and then one day when it turns on,  
14 the 5G icon lights up that people never even knew  
15 they had, and the investment pays off right away.

16 MR. EDELSON: Maybe I missed the point  
17 then. So is this a real program in Connecticut by  
18 AT&T to help their customers get the hardware they  
19 need in their hands?

20 THE WITNESS (Lavin): I don't know what  
21 the status is of any AT&T offerings. They may  
22 have presoaked the market with phones that just  
23 had it on the phone waiting for the signal to show  
24 up one day, but I don't know of any particular  
25 plan right now.

1 MR. EDELSON: Ms. Redding, are you  
2 aware of anything on behalf of AT&T?

3 THE WITNESS (Redding): No, I'm not  
4 aware of that either.

5 MR. EDELSON: Okay. So related to 3G  
6 and 4G, you referred to the received thresholds.  
7 Are the received thresholds for 5G similar to 4G,  
8 or do those numbers increase? And when I'm  
9 referring to 5G, it's what I might call the 5G  
10 light, I forget your terminology but the --

11 THE WITNESS (Lavin): At 850 megahertz  
12 the design thresholds are the same --

13 MR. EDELSON: Same as --

14 THE WITNESS (Lavin): -- for 4G and 5G,  
15 yes.

16 MR. EDELSON: Okay. Very good. Well,  
17 I guess I should have asked this before, but just  
18 to put a cap on what I'd asked before about the  
19 city. They have not presented, Mr. Lavin,  
20 anything to you to indicate that your propagation  
21 analysis or your drive-through results are in  
22 error or that they have a different expert who has  
23 provided something else to indicate there is no  
24 need in the area, they haven't provided something  
25 for you to review?

1           THE WITNESS (Lavin): I have not seen  
2 anything on the record, no.

3           MR. EDELSON: Okay. Very good. And on  
4 Table 1 when you refer to the 5,000 people who  
5 will have coverage once they receive this, that's  
6 in addition to who are there today or who are  
7 receiving it, or what does that 5,000 plus mean?

8           THE WITNESS (Lavin): 5,089 people who  
9 don't have neg 83 dBm coverage now will have it  
10 after this site is constructed.

11          MR. EDELSON: But they might have some  
12 form of coverage, but they're the ones whose  
13 phones are dropping or their calls are dropping?

14          THE WITNESS (Lavin): Yes. You can see  
15 from the neg 93 there's only 1,456 people because  
16 the availability of people who don't have the  
17 coverage is lower. There's more of an opportunity  
18 to bring new coverage at the higher coverage  
19 levels.

20          MR. EDELSON: So we only have a few  
21 minutes left, and maybe you could just, my good  
22 friend Mr. Lynch might be the one who's  
23 encouraged, or his legacy encourages me to ask  
24 this question. I was recently in the Grand Canyon  
25 where there was no light pollution, and I looked

1 up and I saw more stars than I've ever seen in my  
2 life, and then all of a sudden 11 of those stars  
3 starting moving from left to right. After I  
4 realized the alien abduction that I feared was not  
5 happening, I found out those were 11 of Elon  
6 Musk's Starlink system that will basically, if I  
7 understand it, do away with macro towers.

8 THE WITNESS (Lavin): I'm sure that's  
9 what Mr. Musk says, yes.

10 MR. EDELSON: Well, you've led me to my  
11 question. What do you say about that really in  
12 terms of compatibility, and if we think about our  
13 customers here, our citizens here in Connecticut,  
14 are they going to be able to use their phones to  
15 sign up with Starlink, is that your understanding?

16 THE WITNESS (Lavin): I'm not aware of  
17 any compatibility. All I know for sure is the  
18 last time someone tried to do satellite phones it  
19 was Iridium, and they went bankrupt. You can  
20 still use their phones, but the phone costs \$1,500  
21 to \$2,000, and it's 2 cents a minute just to talk,  
22 and there's primitive text and no data.

23 MR. EDELSON: Well, that I think is my  
24 other rule of technology, the further away it is  
25 in the future, the better it looks. But I think

1 we're getting close to 5 o'clock and we haven't  
2 finished, so we will need to continue. And if you  
3 could give me a second, I will get to my script  
4 here that will help me explain that.

5 So, as I've said, we do have some more  
6 cross-examination to go of AT&T as well as the  
7 presentation by the City of New Britain. So the  
8 Council announces that it will continue the  
9 evidentiary session of this public hearing on  
10 Thursday, September 2nd at 2 p.m. via Zoom remote  
11 conferencing. A copy of the agenda for the  
12 continued remote evidentiary hearing session will  
13 be available on the Council's Docket No. 503  
14 webpage, along with the record of this matter, the  
15 public hearing notice, instructions for public  
16 access to the remote evidentiary hearing session,  
17 and the Council's Citizens Guide to the Siting  
18 Council Procedures.

19 Please note that anyone who has not  
20 become a party or intervenor, but who desires to  
21 make his or her views known to the Council, may  
22 file written statements with the Council until the  
23 public comment record closes.

24 Copies of the transcript of this  
25 hearing will be filed at the New Britain City

1 Clerk's Office.

2           And I hereby declare this hearing  
3 adjourned. I look forward to seeing our Council  
4 members back at 6:30. And thank you all for your  
5 cooperation. Have a good dinner.

6           (Whereupon, the witnesses were excused  
7 and the hearing adjourned at 5:02 p.m.)

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1 CERTIFICATE FOR REMOTE HEARING

2  
3 I hereby certify that the foregoing 126 pages  
4 are a complete and accurate computer-aided  
5 transcription of my original stenotype notes taken  
6 of the REMOTE PUBLIC HEARING IN RE: DOCKET NO.  
7 503, ARX WIRELESS INFRASTRUCTURE, LLC APPLICATION  
8 FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY  
9 AND PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE,  
10 AND OPERATION OF A TELECOMMUNICATIONS FACILITY  
11 LOCATED AT 43 OSGOOD AVENUE, NEW BRITAIN,  
12 CONNECTICUT, which was held before EDWARD EDELSON,  
13 PRESIDING OFFICER, on July 20, 2021.  
14  
15  
16

17 

18 -----  
19 Lisa L. Warner, CSR 061  
20 Court Reporter  
21 BCT REPORTING, LLC  
22 55 WHITING STREET, SUITE 1A  
23 PLAINVILLE, CONNECTICUT 06062  
24  
25

I N D E X

WITNESSES: (Sworn on page 11)  
KEITH COPPINS  
DOUGLAS ROBERTS  
MICHAEL LIBERTINE  
BRIAN GAUDET

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MARTIN J. LAVIN  
HOLLIS M. REDDING  
DOUGLAS ROBERTS (previously sworn)

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APPLICANT'S EXHIBITS  
(Received in evidence)

EXHIBIT	DESCRIPTION	PAGE
II-B-1	Application for a Certificate of Environmental Compatibility and Public Need filed by Arx Wireless Infrastructure, LLC, received May 14, 2021, and attachments and bulk file exhibits including: Bulk File exhibits: a. Technical report b. City of New Britain zoning regulations	18



1 I n d e x: (Cont'd)

2 EXHIBIT	DESCRIPTION	PAGE
3	c. City of New Britain 2010-2020	
4	Plan of Conservation and	
5	Development	
6	d. City of New Britain Inland	
7	Wetlands and Watercourses	
8	Regulations	
9	II-B-2 Applicant's affidavit of	18
10	publication, dated June 9, 2021	
11	II-B-3 Applicant's responses to Council	18
12	interrogatories, Set One, dated	
13	July 7, 2021	
14	II-B-4 Applicant's sign posting affidavit,	18
15	dated July 7, 2021	
16	II-B-5 Applicant's revised Exhibit G to	18
17	the application, dated July 13, 2021	
18	II-B-6 Applicant's prefiled testimony	18
19	of Keith Coppins, dated July 13, 2021	
20	II-B-7 Applicant's prefiled testimony	18
21	of Douglas Roberts, dated July 13, 2021	
22	II-B-8 Applicant's prefiled testimony	18
23	of Michael Libertine and Brian Gaudet,	
24	dated July 13, 2021	
25	II-B-9 Applicant's signed protective order,	18
	dated July 15, 2021	

16 INTERVENOR NEW CINGULAR WIRELESS PCS, LLC (AT&T)  
17 (Received in evidence)

18 EXHIBIT	DESCRIPTION	PAGE
19	III-B-1 AT&T's request for intervenor	87
20	status, dated May 25, 2021	
21	III-B-2 AT&T's responses to Council	87
22	interrogatories, Set One, dated	
23	July 7, 2021	
24	III-B-3 AT&T's witness resumes, dated	87
25	July 13, 2021	

22 \*Exhibits retained by the council.