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Kristen Motel, Esq. kmotel@cuddyfeder.com

October 19, 2021

VIA E-MAIL AND FIRST-CLASS MAIL

Connecticut Siting Council Melanie A. Bachman Executive Director 10 Franklin Square New Britain, Connecticut 06051

Re: Docket No. 506

New Cingular Wireless PCS LLC ("AT&T")

Proposed Wireless Telecommunications Tower Facility

499 Mile Road, Middletown, Connecticut

Dear Executive Director Bachman:

This letter and enclosures are respectfully submitted on behalf of New Cingular Wireless PCS LLC ("AT&T") in connection with the above referenced Certificate Application ("Application"). The Application was initially filed as a tower site sharing request and petition for a declaratory ruling (Petition No. 1465) on September 30, 2021 and was subsequently converted into a Certificate Application, which has been assigned Docket No. 506.

Enclosed are the newspaper publisher's original Affidavit of Publication of the Legal Notice published in the <u>Middletown Press</u> newspaper on two insertion dates of October 6, 2021 and October 7, 2021 in accordance with State statute and the Application Certification of Service.

A check payable to the "Connecticut Siting Council" in the amount of \$625, representing the additional filing fee is also enclosed.

Please incorporate the enclosed as part of the official record of the proceeding. Thank you.

Very truly yours,

Kristen Motel

Enclosures

cc: Christopher B. Fisher, Esq.

Service List

AT&T

Connecticut Post | Greenwich Time | New Haven Register | Stamford Advocate | The Middletown Press The News-Times | The Norwalk Hour | The Register Citizen

Fairfield Citizen I New Canaan Advertiser I Shelton Herald I Shoreline Times I The Darien Times I The Dolphin I The Foothills Trader I The Litchfield County Times
The Milford Mirror I The Ridgefield Press I The Spectrum I The Trumbull Times I The Wilton Bulletin I West Hartford News I Westport News

CUDDY & FEDER LLP 445 HAMILTON AVENUE ATTYS AT LAW WHITE PLAINS NY 106015196

AFFIDAVIT OF PUBLICATION

STATE OF CONNECTICUT COUNTY OF FAIRFIELD

NOTICE

Notice is hereby given, pursuant to Section 16-50g et seq. of the Connecticut General Statutes, as amended, and Section 16-50j-1 et seq. of the Regulations of Connecticut State Agencies, as amended, of New Cingular Wireless PCS, LLC ("AT&T")'s conversion of its tower site sharing request and petition for a declaratory ruling that was filed with the Connecticut Sifing Council ("Council") on September 30, 2021 and assigned Petition No. 1465 ("Petition") into an Application for a Certificate of Environmental Compatibility and Public Need ("Certificate") assigned Docket No. 506.

AT&T seeks to install a second shorter tower at the existing City of Middletown tower site within an expanded compound adjacent thereto ("Facility"). The Facility is proposed on an approximately 23.72-acre parcel located at 499 Mile Lane in Middletown, Connecticut and owned by the City of Middletown that was previously part of the U.S. Army Reserve Center and is now serving in part as a fire training site. The City of Middletown's existing communications facility consists of an approximately 180' lattice tower and a fenced equipment compound. AT&T proposes to share the site and modify the existing facility by installing a 150' monopole tower immediately adjacent to the existing tower, with nine (9) antennas at a centerline height of approximately 150' above ground level ("AGL"). The monopole and expanded equipment compound are being designed to accommodate future collocations by additional wireless carriers. Associated unmanned equipment will be located within a 50-foot by 50-toot expanded area of the existing fenced equipment compound. Vehicle access to AT&T's Facility would remain the same along the existing paved access drive that extends south of Mile Lane.

The location, height, and other features of the proposal are subject to review and potential change under the provisions of Connecticut General Statutes Sections 16-50g et. seq.

The Facility is proposed to allow wireless services to AT&T customers and first responders in the northern area of Middletown, particularly along Mile Lane, State Highway 3, Ridgewood Road and the surrounding roads, businesses, schools and neighborhoods. The Application materials further detail the need, purpose and benefits of the Facility and also describes the environmental impacts of the proposed Facility.

Interested parties and residents of Middletown, Connecticut are invited to review the Application materials as converted during normal business hours after October 6, 2021 at the following offices:

Connecticut Siting Council

10 Franklin Square New Britain, Connecticut 06051 City & Town Clerk of Middletown Ashley Flynn-Natale City Hall 1st Floor 245 DeKoven Drive Middletown, CT 06457

or the offices of the undersigned. A copy of the Application materials will also be available on the Connecticut Siting Council website: https://www.ct.gov/cSc/site/default.aspunder Pending Matters. All inquiries should be addressed to the Connecticut Siting Council or to the undersigned.

Christopher B. Fisher, Esq. Cuddy & Feder LLP 445 Hamilton Ave, 14th Floor White Plains, New York 10601 (914) 761-1300 Attorney for the Applicant

Being depose and say that T Representative am а the employ of HEARST CONNECTICUT MEDIA GROUP, Publisher of the Middletown Press, that а LEGAL NOTICE as stated was published in the Middletown Press.

Subscribed and sworn to before me on this 11th Day of October, A.D. 2021.

Public

Notary

My commission expire

My Commission Expires 12/31/2025

Ad Caption

NOTICE Notice is hereby given

Melinda S. Kelly

Wotary Public, State of Connection

Publication

Middletown Press

PO Number

Ad Number 0002660581-01

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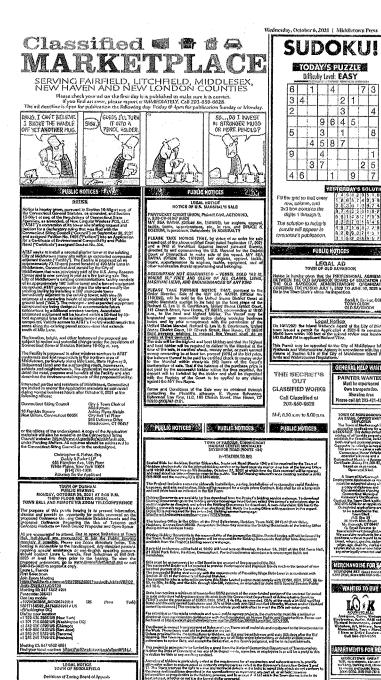
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CERTIFICATION OF SERVICE

I hereby certify that on the 6th day of October 2021, a copy of the following notice of the conversion of Petition No. 1465 into an application and a copy of the foregoing Application to the State of Connecticut Siting Council for a Certificate of Environmental Compatibility and Public Need, was sent by first class certified mail to the list below.

Dated: 10 6 21

Cuddy & Feder LLP

45 Hamilton Avenue, 14th Floor White Plains, New York 10601

Attorneys for:

New Cingular Wireless PCS, LLC ("AT&T)

State

State		
THE HONORABLE WILLIAM TONG ATTORNEY GENERAL OFFICE OF THE ATTORNEY GENERAL 165 CAPITOL AVENUE HARTFORD, CT 06106 DEPARTMENT OF PUBLIC HEALTH Dr. DEIDRE S. GIFFORD, MD, MPH, ACTING COMMISSIONER 410 CAPITOL AVENUE HARTFORD, CT 06134	DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT OFFICES OF CULTURE AND TOURISM DAVID LEHMAN, COMMISSIONER 450 COLUMBUS BLVD HARTFORD, CT 06103 DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION PUBLIC UTILITIES REGULATORY AUTHORITY MARISSA P. GILLETT, CHAIRMAN TEN FRANKLIN SQUARE NEW BRITAIN, CT 06051	
COUNCIL ON ENVIRONMENTAL QUALITY 79 ELM STREET 6 TH FLOOR HARTFORD, CT 06106	DEPARTMENT OF TRANSPORTATION JOSEPH GIULIETTI, COMMISSIONER 2800 BERLIN TURNPIKE P.O. BOX 317546 NEWINGTON, CT 06131	
DEPARTMENT OF ENERGY & ENVIRONMENTAL PROTECTION KATIE DYKES, COMMISSIONER 79 ELM STREET HARTFORD, CT 06106	DEPARTMENT OF AGRICULTURE BRYAN P. HURLBURT, COMMISSIONER 450 COLUMBUS BOULEVARD SUITE 701 HARTFORD, CT 06103	
OFFICE OF POLICY AND MANAGEMENT MELISSA MCCAW, SECRETARY 450 CAPITOL AVENUE HARTFORD, CT 06106	DEPARTMENT OF EMERGENCY SERVICES & PUBLIC PROTECTION DIVISION OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY JAMES C. ROVELLA, COMMISSIONER 1111 COUNTRY CLUB ROAD	

MIDDI PEGUNI OFF
MIDDLETOWN, CT 06457
SECRETARY OF STATE
DENISE MERRILL
165 CAPITOL AVENUE
HARTFORD, CT 06106
·
STATE SENATOR MATTHEW L.
LESSER- DISTRICT So9
LEGISLATIVE OFFICE BUILDING
ROOM 3300
300 CAPITOL AVENUE
HARTFORD, CT 06106
,
STATE HISTORIC PRESERVATION
OFFICE
450 COLUMBUS BLVD., SUITE 5
HARTFORD, CT 06103

Federal

FEDERAL AVIATION ADMINISTRATION
Boo INDEPENDENCE AVENUE, SW
WASHINGTON, DC 20591
,
J.S. SENATOR RICHARD BLUMENTHAL
OO STATE HOUSE SQUARE, 10TH FLOOR
HARTFORD, CT 06103
3 · A

Town of Middletown

BEN FLORSHEIM, MAYOR OFFICE OF THE MAYOR CITY OF MIDDLETOWN 245 DEKOVEN DRIVE ROOM 209 MIDDLETOWN, CT 06457	JOESEPH SAMOLIS, DIRECTOR OF PLANNING PLANNING, CONSERVATION AND DEVELOPMENT CITY OF MIDDLETOWN 245 DEKOVEN DRIVE SUITE 202 MIDDLETOWN, CT 06457
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INLAND WETLANDS & WATERCOURSES AGENCY CITY OF MIDDLETOWN 245 DEKOVEN DRIVE MIDDLETOWN, CT 06457	ASHLEY FYNN-NATALE CITY & TOWN CLERK CITY OF MIDDLETOWN 245 DEKOVEN DRIVE 1st FLOOR MIDDLETOWN, CT 06457
CONSERVATION & AGRICULTURE COMMISSION CITY OF MIDDLETOWN 245 DEKOVEN DRIVE MIDDLETOWN, CT 06457	PLANNING & ZONING COMMISSION CITY OF MIDDLETOWN 245 DEKOVEN DRIVE MIDDLETOWN, CT 06457

NOTICE

Notice is hereby given, pursuant to Section 16-50g et seq. of the Connecticut General Statutes, as amended, and Section 16-50j-1 et seq. of the Regulations of Connecticut State Agencies, as amended, of New Cingular Wireless PCS, LLC ("AT&T")'s conversion of its tower site sharing request and petition for a declaratory ruling that was filed with the Connecticut Siting Council ("Council") on September 30, 2021 and assigned Petition No. 1465 ("Petition") into an Application for a Certificate of Environmental Compatibility and Public Need ("Certificate") assigned Docket No. 506.

AT&T seeks to install a second shorter tower at the existing City of Middletown tower site within an expanded compound adjacent thereto ("Facility"). The Facility is proposed on an approximately 23.72-acre parcel located at 499 Mile Lane in Middletown, Connecticut and owned by the City of Middletown that was previously part of the U.S. Army Reserve Center and is now serving in part as a fire training site. The City of Middletown's existing communications facility consists of an approximately 180' lattice tower and a fenced equipment compound. AT&T proposes to share the site and modify the existing facility by installing a 150' monopole tower immediately adjacent to the existing tower, with nine (9) antennas at a centerline height of approximately 150' above ground level ("AGL"). The monopole and expanded equipment compound are being designed to accommodate future collocations by additional wireless carriers. Associated unmanned equipment will be located within a 50-foot by 50-foot expanded area of the existing fenced equipment compound. Vehicle access to AT&T's Facility would remain the same along the existing paved access drive that extends south of Mile Lane.

The location, height, and other features of the proposal are subject to review and potential change under the provisions of Connecticut General Statutes Sections 16-50g et. seq.

The Facility is proposed to allow wireless services to AT&T customers and first responders in the northern area of Middletown, particularly along Mile Lane, State Highway 3, Ridgewood Road and the surrounding roads, businesses, schools and neighborhoods. The Application materials further detail the need, purpose and benefits of the Facility and also describes the environmental impacts of the proposed Facility.

Interested parties and residents of Middletown, Connecticut are invited to review the Application materials as converted during normal business hours after October 6, 2021 at the following offices:

Connecticut Siting Council 10 Franklin Square New Britain, Connecticut 06051 City & Town Clerk of Middletown Ashley Flynn-Natale City Hall 1st Floor 245 DeKoven Drive Middletown, CT 06457

or the offices of the undersigned. A copy of the Application materials will also be available on the Connecticut Siting Council website: https://www.ct.gov/cSc/site/default.asp under Pending Matters. All inquiries should be addressed to the Connecticut Siting Council or to the undersigned.

Christopher B. Fisher, Esq. Cuddy & Feder LLP 445 Hamilton Ave, 14th Floor White Plains, New York 10601 (914) 761-1300 Attorney for the Applicant

CERTIFICATION OF SERVICE

I hereby certify that on the 6th day of October 2021, a copy of the following letter and notice of the conversion of Petition No. 1465 into an Application to the State of Connecticut Siting Council for a Certificate of Environmental Compatibility and Public Need was sent by certified mail, return receipt requested, to the attached list of abutting property owners:

Dated: 10 6 21

Cuddy & Feder LLP

45 Hamilton Avenue, 14th Floor White Plains, New York 10601

Attorneys for:

New Cingular Wireless PCS, LLC (AT&T)

CITY OF MIDDLETOWN LAWRENCE SCHOOL TINA P. LUN 468 MILE LANE	
245 DEKOVEN DRIVE MIDDLETOWN, CT 06457	
MIDDLETOWN, CT 06457	
CITY OF MIDDLETOWN THEODORE J. MAURA	
LAWRENCE SCHOOL 5 BIRCHWOOD DRIVE	
MILE LANE MIDDLETOWN, CT 06457	
MIDDLETOWN, CT 06457	
RYAN MORGAN DORIS LAMB	
EMILY M. WILES 25 BIRHCWOOD DRIVE	
15 BIRCHWOOD DRIVE MIDDLETOWN, CT 06457	
MIDDLETOWN, CT 06457	
ANTHONY F. ZADROGA TRUSTEE RHODA BENNETT, ET AL	
35 BIRCHWOOD DRIVE 65 HOLLYBERRY LANE	
MIDDLETOWN, CT 06457 BRISTOL, CT 06010	
RHODA BENNETT, ET AL CITY OF MIDDLETOWN	.1
FIR LANE KEIGWIN SCHOOL	
MIDDLETOWN, CT 06457 245 DEKOVEN DRIVE	
MIDDLETOWN, CT 06457	
CITY OF MIDDLETOWN CITY OF MIDDLETOWN	
KEIGWIN SCHOOL 200 LAROSA LANE	
NEWFIELD STREET MIDLETOWN, CT 06457	
245 DEKOVEN DRIVE	
MIDDLETOWN, CT 06457	
CITY OF MIDDLETOWN OLD COLONY ONE OF WALLINGFOR	D
RIDGEWOOD ROAD LLC	
MIDDLETOWN, CT 06457 RIDGEWOOD ROAD	
MIDDLETOWN, CT 06492	
CITY OF MIDDLETOWN OLD COLONY ONE OF WALLINGFOR	D
245 DEKOVEN DRIVE LLC	
MIDDLETOWN, CT 06457 273 NORTH COLONY STREET UNIT 2	
WALLINGFORD, CT 06492	
ADAM SZCZERBICKI CHRISTOPHER J. LAVIGNE	
MELISSA RAZEL 60 TALIAS TRAIL	
70 TALIAS TRAIL MIDDLETOWN, CT 06457	

MIDDLETOWN, CT 06457	
ROBERTO PUGLIARES	MICHAEL T. CONNER
KELLY KENEFICK-PUGLIARES	VIVIANA CONNER
50 TALIAS TRAIL	40 TALIAS TRAIL
MIDDLETOWN, CT 06457	MIDDLETOWN, CT 06457
GIUSEPPE LOMBARDO	MICHAEL LAMANIVONG
DIANA LOMBARDO	JIEUN LIANA YI
30 TALIAS TRAIL	20 TALIAS TRAIL
MIDDLETOWN, CT 06457	MIDDLETOWN, CT 06457
PALMER L. GAINES	CITY OF MIDDLETOWN
509 MILE LANE	ASHLEY FYNN-NATALE
MIDDLETOWN, CT 06457	CITY & TOWN CLERK
	245 DEKOVEN DRIVE
	MIDDLETOWN, CT 06457



445 Hamilton Avenue, 14th Floor White Plains, New York 10601 T 914 761 1300 F 914 761 5372 cuddyfeder.com

October 6, 2021

VIA CERTIFIED MAIL/ RETURN RECEIPT REQUESTED

Re:

New Cingular Wireless PCS, LLC ("AT&T") Wireless Telecommunications Tower Facility 499 Mile Lane, Middletown, Connecticut

Dear Sir or Madam:

We are writing to you on behalf of our client New Cingular Wireless PCS, LLC ("AT&T") with respect to the above referenced matter. You may recall that we wrote to you on September 28, 2021 advising you of AT&T's tower site sharing request and petition for a declaratory ruling to be filed with the State of Connecticut Siting Council ("CSC"). That filing was made on September 30, 2021 and assigned Petition No. 1465.

The purpose of this second letter is to notify you in accordance with state statute that AT&T has elected to convert the Petition into an Application for a Certificate of Environmental Compatibility and Public Need ("Certificate") and which has been assigned Docket Number 506. This conversion is being made at the request of the City to give you as abutting property owners a greater opportunity to have your comments considered by the CSC and ensures that a public hearing will be conducted by the CSC.

None of the details of AT&T's proposal to install a second tower at the City owned property at 499 Mile Lane in Middletown have changed as part of this procedural conversion into a full Certificate application. The location, height and other features of the Facility are subject to review and potential change by the CSC under the provisions of Connecticut General Statutes §16-50g et seq. We encourage you to review the CSC's website where copies of the application materials can be found and please do not hesitate to contact us.

Very truly yours,

Christopher B. Fisher

Ch B D

Enclosure

cc: Kristen Motel, Esq., Cuddy & Feder LLP

NOTICE

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Christopher B. Fisher, Esq. Cuddy & Feder LLP 445 Hamilton Ave, 14th Floor White Plains, New York 10601 (914) 761-1300 Attorney for the Applicant

CERTIFICATE OF SERVICE

I hereby certify that on this day, an original and fifteen (15) copies of the foregoing was sent electronically and via overnight mail to the Connecticut Siting Council.

Dated: October 19, 2021

Kristen Motel

Cuddy & Feder LLP

445 Hamilton Avenue, 14th Floor

White Plains, NY 10601

(914)-761-1300

Attorneys for the Applicant

cc: Christopher B. Fisher; AT&T