

1 STATE OF CONNECTICUT  
2 CONNECTICUT SITING COUNCIL

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4  
5 Docket No. 506

6 New Cingular Wireless PCS, LLC (AT&T) application  
7 for a Certificate of Environmental Compatibility  
8 and Public Need for the construction, maintenance,  
9 and operation of a telecommunications facility  
10 located at 499 Mile Lane, Middletown, Connecticut  
11

12 VIA ZOOM AND TELECONFERENCE  
13

14 Remote Public Hearing held on Tuesday,  
15 November 30, 2021, beginning at 2 p.m.  
16 via remote access.  
17

18  
19 H e l d B e f o r e :

20 JOHN MORISSETTE, Presiding Officer  
21  
22  
23  
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             **QUAT NGUYEN**  
5             Designee for Chairman Marissa Paslick  
6             Gillett  
7             Public Utilities Regulatory Authority

8             **ROBERT SILVESTRI**

9             **DANIEL P. LYNCH, JR.**

10            **LOUANNE COOLEY**

11            **EDWARD EDELSON**

12     **Council Staff:**

13            **MELANIE BACHMAN, ESQ.**  
14            Executive Director and  
15            Staff Attorney

16            **MICHAEL PERRONE**  
17            Siting Analyst

18            **For Applicant New Cingular Wireless PCS, LLC:**  
19            **CUDDY & FEDER LLP**  
20            445 Hamilton Avenue, 14th Floor  
21            White Plains, New York 10601  
22            BY:    **CHRISTOPHER B. FISHER, ESQ.**

23            **Also present:    Aaron Demarest, Zoom co-host**

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

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

1 MR. MORISSETTE: This remote public  
2 hearing is called to order this Tuesday, November  
3 30, 2021, at 2 p.m. My name is John Morissette,  
4 member and presiding officer of the Connecticut  
5 Siting Council. Other members of the Council are  
6 Quat Nguyen, designee for Chairman Marissa Paslick  
7 Gillett of the Public Utilities Regulatory  
8 Authority, Mr. Robert Silvestri, Louanne Cooley,  
9 Edward Edelson, and Daniel P. Lynch, Jr. Members  
10 of the staff are Melanie Bachman, executive  
11 director and staff attorney, and Michael Perrone,  
12 siting analyst.

13 As everyone is aware, there is  
14 currently a statewide effort to prevent the spread  
15 of the Coronavirus. This is why the Council is  
16 holding this remote public hearing, and we ask for  
17 your patience. If you haven't done so already, I  
18 ask that everyone please mute their computer audio  
19 and telephones now.

20 This hearing is held pursuant to the  
21 provisions of Title 16 of the Connecticut General  
22 Statutes and of the Uniform Administrative  
23 Procedure Act upon an application from New  
24 Cingular Wireless, LLC, also known as AT&T, for a  
25 Certificate of Environmental Compatibility and

1 Public Need for the construction, maintenance, and  
2 operation of a telecommunications facility located  
3 at 499 Mile Lane, Middletown, Connecticut. This  
4 application was received by the Council on October  
5 6, 2021.

6 The Council's legal notice of the date  
7 and time of this remote public hearing was  
8 published in The New Haven Register on October 24,  
9 2021. Upon this Council's request, the applicant  
10 erected a sign along Mile Lane at the entrance of  
11 the proposed site so as to inform the public of  
12 the name of the applicant, the type of facility,  
13 the remote public hearing date, and contact  
14 information for the Council including the website  
15 and telephone number.

16 As a reminder to all, off-the-record  
17 communication with a member of the Council or a  
18 member of the Council's staff upon the merits of  
19 this application is prohibited by law.

20 The parties and intervenors to the  
21 proceeding are as follows: The applicant is New  
22 Cingular Wireless PCS, LLC, d/b/a AT&T,  
23 represented by Christopher Fisher, Esq. of Cuddy &  
24 Feder LLP.

25 We will proceed in accordance with the

1 prepared agenda, a copy of which is available on  
2 the Council's Docket No. 506 webpage, along with  
3 the record of this matter, the public hearing  
4 notice, instructions for public access to this  
5 remote public hearing, and the Council's Citizens  
6 Guide to Siting Council Procedures. Interested  
7 persons may join any session of this public  
8 hearing to listen, but no public comments will be  
9 received during the 2 p.m. evidentiary session.

10 At the end of the evidentiary session,  
11 we will recess until 6:30 for the public comment  
12 session. Please be advised that any person may be  
13 removed from the remote public evidentiary session  
14 or the public comment session at the discretion of  
15 the Council.

16 The 6:30 p.m. public comment session is  
17 reserved for the public to make brief statements  
18 into the record. I wish to note that the  
19 applicant, parties and intervenors, including  
20 their representatives, witnesses and members, are  
21 not allowed to participate in the public comment  
22 session. I also wish to note for those who are  
23 listening, and for the benefit of your friends and  
24 neighbors who are unable to join us for the remote  
25 public comment session, that you or they may send

1 written statements to the Council within 30 days  
2 of the date hereof, either by mail or by email,  
3 and such written statements will be given the same  
4 weight as if spoken during the remote public  
5 comment session.

6 A verbatim transcript of this remote  
7 public hearing will be posted on the Council's  
8 Docket 506 webpage and deposited in the Middletown  
9 City Clerk's Office for the convenience of the  
10 public.

11 Please be advised that the Council's  
12 project evaluation criteria under the statute does  
13 not include considerations for property values.

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

16 Administrative notice taken by the  
17 Council: I wish to call your attention to those  
18 items shown on the hearing program marked Roman  
19 Numeral I-B, Items 1 through 82, that the Council  
20 has administratively noticed.

21 Does the applicant have an objection to  
22 the items that the Council has administratively  
23 noticed? Attorney Fisher.

24 MR. FISHER: No objection. Thank you.

25 MR. MORISSETTE: Thank you, Attorney

1 Fisher.

2 MR. LYNCH: Excuse me, Mr. Morissette.

3 MR. MORISSETTE: Yes, Mr. Lynch.

4 MR. LYNCH: I've got a cold, so bear  
5 with me. I have to make this declaration that in  
6 the service notice to different agencies our  
7 office is listed. And I have checked to make sure  
8 we haven't gotten any calls, texts or letters into  
9 the office, and as of this point we have not, but  
10 if that should change, I would have to recuse  
11 myself as I've said in the past. Thank you.

12 MR. MORISSETTE: Thank you, Mr. Lynch.

13 Accordingly, the Council hereby  
14 administratively notices these items.

15 (Council's Administrative Notice Items:  
16 I-B-1 through I-B-82: Received in evidence.)

17 MR. MORISSETTE: We'll now continue  
18 with the appearance of the applicant, New Cingular  
19 Wireless, LLC, AT&T. Will the applicant present  
20 its witness panel for purposes of taking the oath?  
21 Attorney Bachman will administer the oath.

22 MR. FISHER: Good afternoon, Chairman,  
23 members of the Council. Attorney Christopher  
24 Fisher on behalf of the applicant. With me here  
25 physically present today are Scott Pike, project

1 manager, Smartlink, LLC; also Martin Lavin, radio  
2 frequency engineer with C-Squared Systems.  
3 Remotely joining us are Brian Gaudet, project  
4 manager from All Points Technology; and Daniel  
5 Hamm, a professional engineer with Hudson Design  
6 Group.

7 MR. MORISSETTE: Thank you, Attorney  
8 Fisher.

9 Attorney Bachman, please administer the  
10 oath.

11 MS. BACHMAN: Thank you, Mr.  
12 Morissette.

13 Could the witnesses please raise their  
14 right hand?

15 S C O T T P I K E,  
16 M A R T I N L A V I N,  
17 B R I A N G A U D E T,  
18 D A N I E L H A M M,

19 called as witnesses, being first duly sworn  
20 (remotely) by Ms. Bachman, were examined and  
21 testified on their oaths as follows:

22 MS. BACHMAN: Thank you.

23 MR. MORISSETTE: Thank you, Attorney  
24 Bachman.

25 Attorney Fisher, please begin by



1 verifying all the exhibits by the appropriate  
2 sworn witnesses.

3 MR. FISHER: Thank you, Chairman. As  
4 listed in the hearing program under Roman Numeral  
5 II, Item B, there are five exhibits for  
6 identification purposes. Those include the  
7 application, which was received by the Council on  
8 October 6th; the applicant's affidavit of  
9 publication, dated October 19th; the applicant's  
10 affidavit of sign posting, dated November 22nd;  
11 applicant's responses to Council interrogatories,  
12 Set One, and attachments, which are dated November  
13 23rd; the applicant's prehearing submission,  
14 witness resumes, which are dated November 23rd.

15 DIRECT EXAMINATION

16 MR. FISHER: I would ask each of the  
17 witnesses several questions. Did you prepare and  
18 assist in the preparation of the documents that  
19 were just identified in the hearing program?

20 THE WITNESS (Lavin): Martin Lavin.  
21 Yes.

22 THE WITNESS (Pike): Scott Pike. Yes.

23 THE WITNESS (Gaudet): Brian Gaudet.  
24 Yes.

25 THE WITNESS (Hamm): Daniel Hamm. Yes.

1 MR. FISHER: And for purposes of the  
2 documents that have been identified, there were  
3 certain corrections and modifications made to the  
4 interrogatories including a change in the location  
5 site. Are there any additional modifications or  
6 changes to the application and corrections that  
7 need to be made to the identified exhibits?

8 THE WITNESS (Lavin): Martin Lavin.  
9 No.

10 THE WITNESS (Pike): Scott Pike. No.

11 THE WITNESS (Gaudet): Brian Gaudet.  
12 No.

13 THE WITNESS (Hamm): Daniel Hamm. No.

14 MR. FISHER: And as submitted, are they  
15 true and accurate to the best of your belief?

16 THE WITNESS (Lavin): Martin Lavin.  
17 Yes.

18 THE WITNESS (Pike): Scott Pike. No --  
19 I mean yes, excuse me.

20 THE WITNESS (Gaudet): Brian Gaudet.  
21 Yes.

22 THE WITNESS (Hamm): Daniel Hamm. Yes.

23 MR. FISHER: And do you present the  
24 evidence submitted within those exhibits as your  
25 direct testimony here today?

1 THE WITNESS (Lavin): Martin Lavin.

2 Yes.

3 THE WITNESS (Pike): Scott Pike. Yes.

4 THE WITNESS (Gaudet): Brian Gaudet.

5 Yes.

6 THE WITNESS (Hamm): Daniel Hamm. Yes.

7 MR. FISHER: Thank you, Chairman. I  
8 would ask that the Council accept those as  
9 exhibits for evidentiary purposes.

10 MR. MORISSETTE: Thank you, Attorney  
11 Fisher. The exhibits are hereby admitted.

12 (Applicant's Exhibits II-B-1 through  
13 II-B-5: Received in evidence - described in  
14 index.)

15 MR. MORISSETTE: We'll now begin with  
16 cross-examination of the applicant by the Council  
17 starting with Mr. Perrone followed by Mr. Edelson.

18 Mr. Perrone.

19 CROSS-EXAMINATION

20 MR. PERRONE: Thank you, Mr.  
21 Morissette.

22 Beginning with the response to Council  
23 Interrogatory Number 10 which gets into the search  
24 ring, could you tell us the general location of  
25 the center of the search ring? I know we have the

1 coordinates, but if you have a street intersection  
2 or something like that.

3 THE WITNESS (Pike): Yes, it's under  
4 Mile Lane is where the location is.

5 MR. PERRONE: And how was the size of  
6 the search ring determined?

7 THE WITNESS (Pike): Scott Pike. We  
8 basically have a -- we get a site scrub that's  
9 released to us, and we have a radius within this  
10 coverage gap that were released from AT&T, and  
11 that's how we generate the location of where we  
12 look for a location to put a tower.

13 MR. PERRONE: Could you explain in  
14 detail how tower reinforcements and installation  
15 of AT&T's colocation would impact the city's  
16 public safety network?

17 THE WITNESS (Pike): Yeah, absolutely.  
18 As far as the reinforcement goes, the tower itself  
19 already was pretty, to full capacity so we were --  
20 the city was interested in putting up another  
21 tower to accommodate more of AT&T's equipment as  
22 well as the other carriers as well.

23 MR. FISHER: And Mr. Hamm would be able  
24 to answer that question as well from a structural  
25 engineering point of view.

1           Mr. Hamm, would you help answer the  
2 question that was asked?

3           THE WITNESS (Hamm): Yes. The tower  
4 was analyzed in 2019 by a colleague of ours,  
5 Fullerton Engineering, and they came up with an  
6 over -- or a maximum overload of 253 percent at  
7 the top sections, and that's the gist of it.

8           MR. PERRONE: Would you be able to  
9 reinforce and still keep the city's antennas in  
10 service?

11          THE WITNESS (Hamm): Yes.

12          MR. PERRONE: Also, had AT&T considered  
13 going in at a lower centerline height, would that  
14 reduce the stress on the tower?

15          THE WITNESS (Hamm): It would reduce  
16 the stress, but the city has occupied from about  
17 80 feet to 160 feet with their various  
18 communications facilities or appurtenances.

19          MR. PERRONE: In response to Council  
20 Interrogatory 7, AT&T notes that reinforcement  
21 costs would not be prohibitive and would be at  
22 AT&T's expense. Does AT&T believe the cost to  
23 construct the new tower facility to be shared by  
24 AT&T and the city would also not be cost  
25 prohibitive and at AT&T's expense?

1 MR. FISHER: So I've asked Mr. Hamm to  
2 answer that question in relation to the cost of  
3 reinforcement for the tower as it exists today and  
4 the cost of the construction of the monopole.

5 THE WITNESS (Hamm): Yeah, we believe  
6 that by reinforcing the tower it's going to be  
7 somewhere on the lines of 300,000 plus to do the  
8 work, but we'd have to do additional studies to  
9 understand the soils and the foundation of the  
10 existing tower. And it would also -- and then it  
11 would probably be somewhere in the 250,000 to  
12 300,000 range to construct a new tower with all  
13 its facilities.

14 MR. PERRONE: And that hypothetically  
15 would also be done at AT&T's expense for a  
16 replacement?

17 THE WITNESS (Hamm): I can't speak on  
18 who's paying for it.

19 MR. PERRONE: Okay.

20 MR. FISHER: I guess, to the extent  
21 that it's a question on tower sharing, generally  
22 speaking, it would be at AT&T's expense, but we do  
23 reserve the right to address that with the city  
24 because that wasn't necessarily a contemplated  
25 expense.

1 MR. MORISSETTE: Attorney Fisher, if  
2 you could have your witnesses respond to the  
3 questions instead of yourself. Thank you.

4 MR. PERRONE: With respect to Council  
5 Interrogatory Number 12 regarding site search  
6 within the 4-mile radius, did the tall structures  
7 include all existing towers?

8 MR. FISHER: I'm going to ask Mr.  
9 Martin Lavin to join the panel and answer that  
10 question.

11 THE WITNESS (Lavin): Martin Lavin,  
12 C-Squared Systems. All towers and communication  
13 facilities in as much as I was able to determine  
14 from AntennaSearch.com and other sources where  
15 they might be.

16 MR. PERRONE: Could a series of small  
17 cells or other small wireless facilities in  
18 conjunction with a shorter tower or a rooftop  
19 tower meet the wireless objectives?

20 THE WITNESS (Lavin): Really in this  
21 case we are in exactly the right spot. At 180 on  
22 the other tower, 150 on our own, it really does  
23 the job perfectly. To replicate it would be a lot  
24 of facilities. I haven't looked for poles and  
25 things of that nature. But I think for this and

1 the amount of -- for this situation on the ridge  
2 we're on that provides so much coverage around it  
3 to reach the school, at least two schools in the  
4 area, I think that trying to put an oDAS or a  
5 distributed antenna system down really wouldn't be  
6 feasible or practical.

7 MR. PERRONE: Is the electrical  
8 distribution in the area, is that overhead or  
9 underground with respect to the availability of  
10 poles?

11 THE WITNESS (Hamm): The utilities are  
12 all overhead.

13 MR. PERRONE: Okay. And back to the RF  
14 topic regarding the topic of small cells, would  
15 you have an estimate of how many small cells you  
16 would require, let's say on distribution poles, to  
17 replicate the coverage?

18 THE WITNESS (Lavin): I haven't looked  
19 at that, but I can provide that as a Late-File.

20 MR. PERRONE: Okay.

21 MR. MORISSETTE: Mr. Lavin, could you  
22 kindly provide that before the end of the hearing  
23 today rather than through a Late-File?

24 THE WITNESS (Lavin): I would have to  
25 run some analysis on coverage, so I would be



1 unable to do it by the end of the day.

2 MR. LYNCH: Excuse me, Mr. Morissette.

3 MR. MORISSETTE: Yes, Mr. Lynch.

4 MR. LYNCH: No offense to Mr. Lavin,  
5 but I'm having a hard time hearing him. It may be  
6 just me, but if he can speak up a little louder.

7 THE WITNESS (Lavin): Certainly.

8 MR. MORISSETTE: Mr. Lavin, if you  
9 could kindly possibly give us a rough estimate by  
10 the close of the hearing, that will eliminate the  
11 need for having to file a Late-File. See what you  
12 can do and we'll address it at the end.

13 THE WITNESS (Lavin): With Excel and  
14 some assumptions, yes.

15 MR. MORISSETTE: Great. Thank you.  
16 Please continue.

17 MR. PERRONE: Just as an update, other  
18 than Verizon, have any other wireless carriers  
19 expressed an interest in collocating?

20 MR. FISHER: I'm going to ask Scott  
21 Pike to answer the question.

22 THE WITNESS (Pike): Scott Pike.

23 MR. FISHER: Any other carriers?

24 THE WITNESS (Pike): No, no carriers  
25 have expressed any interest so far.

1 MR. PERRONE: I have one more RF  
2 question for Mr. Lavin. Under Tab 4 of the  
3 application we have the RF report, and page 3 in  
4 the second paragraph there's mention of an antenna  
5 centerline height of 176 feet. And I see the  
6 coverage plots are based on 150. My question is,  
7 on page 4 the incremental coverage at 700  
8 megahertz, we have that table, is that table based  
9 on a 150-foot centerline?

10 THE WITNESS (Lavin): The original RF  
11 report is all based on the 150-foot centerline.  
12 The 176-foot reference was a leftover, a typo.

13 MR. PERRONE: Okay.

14 THE WITNESS (Lavin): Sorry about that.

15 MR. PERRONE: Okay. Also related to  
16 RF, a couple questions related to FirstNet. Does  
17 FirstNet provide specific feedback to AT&T  
18 regarding which areas need public safety  
19 enhancement?

20 THE WITNESS (Lavin): Yes, they do.  
21 And this is a site that was, an area that was  
22 designated by FirstNet as a priority for getting  
23 service, yes.

24 MR. PERRONE: So you received feedback  
25 directly from FirstNet for a need in this area?

1           THE WITNESS (Lavin): In working with  
2 FirstNet, AT&T, between them determined, I think  
3 the FirstNet people designated this as an area,  
4 and AT&T agreed to proceed with the construction  
5 based on that.

6           MR. PERRONE: And that's based on the  
7 proposed tower. Could AT&T also provide FirstNet  
8 services if it colocated on the lattice tower?

9           THE WITNESS (Lavin): All else being  
10 the same, apart from all the other issues with  
11 collocating on the other tower, yes.

12          MR. PERRONE: Thank you. I'm all set  
13 on RF. Moving on to a few construction questions.  
14 Do you have the area of the expanded compound?

15          MR. FISHER: Mr. Gaudet --

16          THE WITNESS (Hamm): It's approximately  
17 545 square feet.

18          MR. PERRONE: And, let's see, turning  
19 to the response to Council Interrogatory 30 to the  
20 tower is extendable, AT&T could design the tower  
21 and foundation to accommodate an increase, if  
22 requested. How much of an increase in height  
23 could you accommodate?

24          THE WITNESS (Hamm): We could design it  
25 for whatever they need to. Typically it's usually

1 about a 30-foot extension.

2 MR. PERRONE: And --

3 THE WITNESS (Hamm): Typically we don't  
4 go higher than 200 feet for monopoles. I  
5 apologize for interrupting you.

6 MR. PERRONE: And that's because of FAA  
7 and lighting?

8 THE WITNESS (Hamm): And strength.

9 MR. PERRONE: Okay. Response to  
10 Council Interrogatory 32 which gets into cut and  
11 fill. It mentions that there would be 55 cubic  
12 yards of cut and roughly the same amount for the  
13 compound base. So would that be basically 55  
14 cubic yards of cut for the tower foundation and  
15 another 55ish to grade the compound?

16 THE WITNESS (Hamm): Say that again,  
17 please. You broke up right at the end.

18 MR. PERRONE: The response to Council  
19 Interrogatory 32 said approximately 55 cubic yards  
20 would be cut and roughly the same amount would be  
21 required to create the compound base. I'm just  
22 looking for clarification. Would you remove, say,  
23 55 for the tower foundation and then another 55 to  
24 grade the compound?

25 THE WITNESS (Hamm): No, it's all

1 together, so it would be removed and relocated,  
2 right.

3 MR. PERRONE: So 55 total?

4 THE WITNESS (Hamm): Yes.

5 MR. PERRONE: And what would you do  
6 with the excess cut material?

7 THE WITNESS (Hamm): It would be  
8 disposed of by the contractor, approved  
9 disposable -- disposed waste by the contractor.

10 MR. PERRONE: Now, the compound  
11 expansion area, I know you just gave the area of  
12 that. If that entire area (AUDIO INTERRUPTION) --

13 MR. MORISSETTE: Excuse me for one  
14 second. We're picking up a lot of background  
15 noise. I don't know who's shuffling papers or  
16 where it's coming from. But if you're not  
17 speaking, please put your computers on mute so we  
18 don't get so much background noise and we can  
19 clearly hear the witness.

20 THE WITNESS (Hamm): I apologize. That  
21 was me. I was shuffling the plans.

22 MR. MORISSETTE: Thank you.

23 THE WITNESS (Hamm): It would be  
24 gravel. We don't pave. It would be all gravel.

25 MR. PERRONE: I mean existing

1 conditions.

2 THE WITNESS (Hamm): Is it paved now?

3 MR. PERRONE: Yes.

4 THE WITNESS (Hamm): Yes.

5 MR. PERRONE: Okay.

6 THE WITNESS (Hamm): Grass and  
7 pavement.

8 MR. PERRONE: Okay.

9 THE WITNESS (Hamm): Oh, no, it's  
10 mostly grass, sorry.

11 MR. PERRONE: Okay. Clear grass area  
12 and no tree clearing?

13 THE WITNESS (Hamm): Correct.

14 MR. PERRONE: Okay. Next I have some  
15 environmental related questions getting into  
16 wetlands. What is the closest distance from the  
17 compound fence to the nearest wetland?

18 THE WITNESS (Gaudet): Are you looking  
19 for a distance from the existing compound that's  
20 there today or from the new fence line that would  
21 be extended?

22 MR. PERRONE: The new, the expanded  
23 area.

24 THE WITNESS (Gaudet): Mr. Hamm, do you  
25 have that? I don't have those calculations on the

1 plans, I don't believe.

2 THE WITNESS (Hamm): It looks to be  
3 about 30 feet.

4 MR. PERRONE: And would you utilize  
5 erosion and sediment controls consistent with the  
6 2002 guidelines?

7 MR. MORISSETTE: Mr. Hamm, you're on  
8 mute.

9 THE WITNESS (Hamm): Sorry, I'm  
10 shuffling pages again. Yes, we would use all  
11 current standards for erosion and sediment  
12 control.

13 MR. PERRONE: Could we have as a  
14 Late-File a map depicting the existing wetlands  
15 and the proposed compound expansion?

16 THE WITNESS (Gaudet): Yeah, we can  
17 provide that.

18 MR. PERRONE: Okay. And also as a  
19 Late-File a map depicting the 1.2 acres of prime  
20 farmland soils?

21 THE WITNESS (Gaudet): We can provide  
22 that as well.

23 MR. PERRONE: Okay. Was any wetland  
24 analysis conducted for the site either in 2017  
25 when the tower was built or this year when AT&T

1 prepared its application?

2 THE WITNESS (Gaudet): I can speak for  
3 APT's involvement. We were brought in to evaluate  
4 the site from a visual perspective in the  
5 beginning of 2021. It wasn't until this site was  
6 pushed into the application phase where we  
7 received some interrogatories regarding  
8 environmental issues, one of those being the  
9 interrogatory requesting a remote field review.  
10 That was the first time that we at All Points had  
11 boots on the ground on the site. When we were out  
12 performing that evaluation for the remote field  
13 review that's when wetland features were  
14 identified. We subsequently sent out our team to  
15 perform an actual wetland inspection and  
16 delineation, and that was just after the  
17 interrogatories were released.

18 MR. PERRONE: Would the proposed  
19 project impact the northern long-eared bat?

20 THE WITNESS (Gaudet): I don't believe  
21 so.

22 MR. PERRONE: My next questions get  
23 into the back-up generator and noise-related  
24 questions. Regarding the response to Council  
25 Interrogatory 53, it mentions that the generator,



1 currently diesel, could be converted to propane.  
2 And my question is, can you tell us the pros and  
3 cons of propane versus diesel for this project?

4 MR. FISHER: If we could have a  
5 combination of Mr. Gaudet and Mr. Pike answer that  
6 question.

7 THE WITNESS (Pike): Propane, it's  
8 definitely possible to be converted to propane.  
9 Diesel is typically what AT&T goes with when we do  
10 our standard sites, but from a conversion  
11 standpoint, propane is possible. We can do that.

12 MR. PERRONE: Okay. Is it correct to  
13 say that an air permit would not be required for  
14 the generator?

15 THE WITNESS (Pike): I don't believe  
16 so.

17 MR. PERRONE: Next questions are  
18 related to noise. Regarding the response to  
19 Council Interrogatory 70, I understand the  
20 surrounding areas are a Class A. What about the  
21 subject property, would that be a Class B emitter?

22 MR. FISHER: Give me just a moment.

23 MR. PERRONE: Sure.

24 (Pause.)

25 MR. FISHER: Okay. Thank you for that.

1 Mr. Pike can answer your question.

2 THE WITNESS (Pike): Yeah. Can you  
3 just repeat the question just to make sure?

4 MR. PERRONE: In response to Council  
5 Interrogatory 70, there's mention about the  
6 surrounding areas are Class A, Class A zoned as  
7 the receptors, but as far as the emitter, the  
8 subject property, with this project would that be  
9 a Class B, what class would the subject property  
10 be?

11 THE WITNESS (Pike): It is commercial.  
12 I don't have -- I wouldn't have the ability to say  
13 about Class B, but we did have a professional take  
14 a look at that to review that, and that's kind of  
15 what -- that's all I really know about that. I'm  
16 sorry.

17 MR. PERRONE: Okay. And let's see,  
18 just two more on the noise topic. The noise  
19 analysis is centered around the generator. Is it  
20 correct to say that the AT&T radio equipment,  
21 being that it's inside the equipment cabinet, the  
22 dominant source of noise would be the generator?

23 THE WITNESS (Pike): Yes.

24 MR. PERRONE: And lastly, looking at  
25 the date of the noise analysis relative to the

1 updated drawings, is the noise analysis based on  
2 the most up to date compound location?

3 THE WITNESS (Pike): Yes.

4 MR. PERRONE: Because the reason I was  
5 asking, the drawings in the interrogatories are  
6 dated 11 --

7 THE WITNESS (Pike): No -- yeah, that's  
8 from the November 16th. That was the original  
9 date.

10 MR. PERRONE: Could we get as a  
11 Late-File an updated noise analysis based on the  
12 up to date dimensions?

13 THE WITNESS (Pike): Yes.

14 MR. FISHER: We certainly can do that.  
15 I don't want to presuppose what the professionals  
16 will say, but given the de minimis distance  
17 change, it probably won't change the conclusion,  
18 but we can certainly get that confirmation.

19 MR. PERRONE: And there is comments  
20 from the Connecticut Airport Authority dated  
21 October 26, 2021. Could AT&T respond to those?

22 MR. FISHER: Yes, we can. I'm going to  
23 ask Martin Lavin to come to the witness stand and  
24 just provide the information related to FAA filing  
25 on the site.

1 THE WITNESS (Lavin): A question about  
2 the FAA filing for the Connecticut Airport  
3 Authority?

4 MR. PERRONE: Yes.

5 THE WITNESS (Lavin): Okay, yes. It is  
6 registered. There was a determination of no  
7 hazard to air navigation available from the FAA's  
8 website. It's registered with the FCC. There's  
9 no painting or lighting required.

10 MR. FISHER: For the existing tower.

11 THE WITNESS (Lavin): For the existing  
12 tower, the existing lattice tower.

13 MR. PERRONE: Okay. Was a Form 7460  
14 filed for the proposed tower, the 150 monopole?

15 MR. FISHER: I don't believe one has  
16 been filed. We may or may not need to given the  
17 current registration on the existing tower, but we  
18 certainly will do that in accordance with FAA  
19 regulations.

20 MR. PERRONE: And lastly I have a few  
21 questions regarding visibility. Regarding the  
22 response to Council Interrogatory 67, in terms of  
23 the visibility areas, both year-round and  
24 seasonal, would the shift in tower location due to  
25 the compound relocation materially affect

1 visibility?

2 THE WITNESS (Gaudet): From a general  
3 standpoint in terms of overall acreage of the  
4 predicted visibility, I don't believe so. You  
5 might have some shifts just slightly, primarily  
6 with the change in the tower position now being  
7 more to the north as opposed to the southeast of  
8 the existing facility. You could open up some  
9 very spot views, more to the north/northwest of  
10 the facility, and you might lose some of that  
11 visibility down, if you look at the viewshed map,  
12 down towards where Middletown High School is just  
13 simply because it's shielded by the existing  
14 taller structure that's there.

15 MR. PERRONE: With respect to  
16 visibility and aesthetics, could you tell us the  
17 difference between a monopole and a monopine at  
18 the site?

19 THE WITNESS (Gaudet): Yeah, I think,  
20 well, I'll discuss the monopine first here.  
21 There's not a lot of coniferous vegetation in this  
22 general area, certainly not at a height anywhere  
23 close to 150 feet. This site is located up on a  
24 ridge line. You can see that that existing  
25 facility is pretty visible from a lot of the areas

1 in the immediate vicinity of the site. With that  
2 being said, a monopine here provides a much wider  
3 feature going in next to this existing facility  
4 which is fairly slight as far as lattice towers  
5 go. So you would draw attention, I think, more  
6 than you would a monopole which would appear sort  
7 of in kind with the lattice structure that's there  
8 today.

9 MR. PERRONE: And lastly with respect  
10 to the monopole, would you need to put a lightning  
11 rod on top of this tower?

12 THE WITNESS (Gaudet): I'll pass that  
13 to Mr. Hamm.

14 THE WITNESS (Hamm): Typically we put  
15 lightning rods on all towers, yes.

16 MR. PERRONE: About how much taller  
17 does that go over the 150?

18 THE WITNESS (Hamm): 4 feet.

19 MR. PERRONE: And that's all I have.  
20 Thank you.

21 MR. MORISSETTE: Thank you, Mr.  
22 Perrone.

23 We'll now continue with  
24 cross-examination by Mr. Edelson followed by Mr.  
25 Silvestri.

1           Mr. Edelson.

2           MR. EDELSON: Thank you, Mr.  
3 Morissette. I think my first couple of questions  
4 are for Mr. Pike. Mr. Pike, what is the current  
5 state of the negotiations with the town regarding  
6 leasing the property, is that approved, in  
7 process, where are we?

8           THE WITNESS (Pike): Yes, it is  
9 approved. We are in the process right now with  
10 the lease. We're just going through this process  
11 right now with the CSC. And once this gets  
12 concluded, they will be looking to sign the lease  
13 to move forward.

14          MR. EDELSON: Now, in the background  
15 section of the application you indicate, or it's  
16 written there, that the city's -- this is AT&T  
17 speaking about the city -- saying that the city's  
18 assessment is that the modifications to the  
19 existing tower, if we are to go that route, would  
20 impact public safety communications during  
21 construction and the tower's future integration  
22 into the city-wide public safety networking.

23          And my question for AT&T, do you have  
24 experience at other sites where by collocating  
25 municipal and commercial communications on the

1 same tower either present problems for integration  
2 into the city-wide public safety networking?

3 MR. FISHER: Mr. Edelson, we're going  
4 to have, I think, a three-part witness answer, Mr.  
5 Pike, Mr. Lavin, and Mr. Hamm because it relates  
6 to different parts of the question.

7 You can answer the first part.

8 THE WITNESS (Pike): Yeah, there is a  
9 possibility to do a COW, which is a cell on  
10 wheels, which is a temporary tower in the interim  
11 time when the tower is being constructed to keep  
12 all of the carriers on air at that time.

13 MR. EDELSON: Can I interrupt you a  
14 second? I don't know if it's me, but I'm getting  
15 like echo in your voice, and I'm having trouble  
16 kind of parsing the words. I don't know where  
17 your microphone is, if you can get closer to it.  
18 I'm not sure that's the problem but --

19 THE WITNESS (Pike): Sorry about that.  
20 Just typically in the situations where there's  
21 going to be a new tower with the other carriers  
22 that need to come off the tower in the interim  
23 period we will typically do a COW, which is a cell  
24 on wheels, where they'll bring that in. It's a  
25 temporary pole to keep the equipment going on air



1 at the time during construction.

2 MR. EDELSON: So just to be clear, so  
3 you have found a way that could address the issues  
4 with regard to construction, how you keep things  
5 going during construction; is that what you were  
6 referring to there?

7 THE WITNESS (Pike): Yes.

8 MR. EDELSON: And how about in terms of  
9 future integration into a city's public safety  
10 networking, is there some reason that from AT&T's  
11 experience that you can't have, if you will,  
12 municipal and commercial communication facilities  
13 on the same pole?

14 THE WITNESS (Pike): That might be for  
15 Martin to answer that one.

16 MR. EDELSON: Okay. Fair enough.

17 THE WITNESS (Lavin): We usually  
18 provide some access for public safety. I don't  
19 know of any situation that couldn't be worked out.  
20 There are certainly more crowded towers in the  
21 world than this with a mixture of commercial and  
22 public safety. So it's just a matter of  
23 case-by-case specific issues that arise how  
24 difficult it is to get the two things integrated.

25 MR. FISHER: I'm getting a little

1 feedback as well, but I would like Mr. Hamm to  
2 answer that part of the question as well because  
3 the question relates to what would structurally  
4 have to be done to the existing tower.

5 MR. EDELSON: Well, I was putting the  
6 structural issues to the side. I mean, I believe,  
7 you know, the tower has to stand, everyone would  
8 agree to that, we don't want a tower that's going  
9 to fall under weight. But I was after what it  
10 seemed to me was more the city concern about  
11 continuity during construction that their  
12 emergency operation wouldn't be impacted, would or  
13 would not be impacted, and more importantly, in  
14 the long term that there would be problems of  
15 integrating the two on the same tower. So I'm not  
16 sure, and I don't want to keep Mr. Hamm from  
17 speaking, but I would appreciate if you'd address  
18 those two issues, construction, networking during  
19 construction, and networking during future  
20 operation.

21 MR. FISHER: So Mr. Hamm, could you  
22 talk about during construction what would be  
23 required to accommodate AT&T and what impacts that  
24 may or may not have for the city?

25 THE WITNESS (Hamm): Yeah. Typically

1 AT&T will be doing a lot of work on the tower, so  
2 they'll have to have certain antennas shut down  
3 during which leads back to what Scott mentioned  
4 about using another alternative antenna off the  
5 tower if they have to shut down certain antennas  
6 for the emergency services. It is not easy.

7 MR. EDELSON: Okay. And let me just --  
8 I probably should have asked this first. This  
9 comment that appears on the application, this is  
10 based on the city writing a letter to AT&T  
11 outlining these concerns or this is AT&T's summary  
12 of conversations that have taken place, in other  
13 words, how well has this been documented that this  
14 is the city's concerns?

15 THE WITNESS (Pike): Scott Pike here.  
16 We did speak with Wayne at the city, and they were  
17 concerned about being off there. That was their  
18 main concern which is why they wanted to do the  
19 tower. That was their initial request to AT&T  
20 when they started this.

21 MR. EDELSON: So did they ever put that  
22 in writing?

23 MR. FISHER: I can share this with you  
24 procedurally. The interrogatory request that the  
25 Council issued I sent to the city attorney and

1 Director Bartolotta from the city. And the  
2 responses to Questions 14, 16 and 17, which  
3 addressed that, those were drafted and provided by  
4 the city to us.

5 MR. EDELSON: All right. But I was  
6 referring to before, at some point months ago you  
7 made a decision to go with a second tower. And  
8 what I'm getting to here is to what degree did  
9 AT&T share its experience, which basically you've  
10 just shared with us, that these concerns are not  
11 consistent -- I don't want to really put words in  
12 your mouth here -- but are not consistent with  
13 AT&T's experience. AT&T has been able to colocate  
14 on an existing public communications tower without  
15 problems, and they've been able to operate without  
16 problems.

17 I'm trying to get a sense, if the  
18 Council is trying to make sure that we have no  
19 proliferation of towers, we want to make sure that  
20 people were making decisions with all the  
21 information in front of them. And I'm trying to  
22 get at is what did AT&T know about the concerns of  
23 the city and what did AT&T do to educate the city,  
24 which is not in the business of communications to  
25 the degree AT&T is, about AT&T's experience with

1 similar situations?

2 THE WITNESS (Pike): We did share with  
3 them our procedural process for doing that, but  
4 the city was set on moving forward with another  
5 tower from a capacity standpoint, from a more  
6 structural sound standpoint with a new tower. We  
7 did let them know about, you know, all different  
8 types of the cell on wheels, how that works, and  
9 they wanted to move forward with the tower.

10 MR. EDELSON: And is that documented --  
11 I didn't see it in the record -- or is that just  
12 based on your memory of conversations that took  
13 place?

14 THE WITNESS (Pike): This was  
15 conversations. We do not have it documented.

16 MR. EDELSON: Thank you. So I'm  
17 switching topics now, Mr. Pike, a little bit to,  
18 in the application there's some reference to the  
19 definition of a facility versus a tower as in  
20 sharing a facility or sharing a tower, and it  
21 specifically refers to the Connecticut General  
22 Statute, Section 16-50aa, part (b). And I went to  
23 that, and I don't see it. As I read it, it's a  
24 pretty short paragraph, it says, "facility" means  
25 a tower owned or operated for a commercial or

1 public purpose by a person, firm, corporation or a  
2 public agency which uses such tower for  
3 transmitting or receiving signals, et cetera.

4 There's nothing there about the site. What am I  
5 missing here that had you refer to this particular  
6 section of the statute to begin talking about  
7 sharing a site as opposed to sharing a tower?

8 MR. FISHER: Well, first, Member  
9 Edelson, I would say that it calls for a legal  
10 conclusion, and that information comes directly  
11 from me. I'm happy to answer the procedural  
12 question on how to interpret the statute because  
13 it's a legal question, it's not a question for any  
14 of the witnesses.

15 MR. MORISSETTE: Thank you, Attorney  
16 Fisher. Before you do that, I'm going to ask  
17 Attorney Bachman to provide some guidance as to  
18 how we should address this without having Attorney  
19 Fisher testifying versus providing a legal  
20 opinion.

21 Attorney Bachman, can you provide some  
22 guidance, please?

23 MS. BACHMAN: Certainly. Thank you,  
24 Mr. Morissette.

25 Mr. Edelson, the first section of

1 General Statute, Section 16-50aa does define a  
2 facility. The purpose of that statute is to  
3 promote tower sharing whether they be  
4 jurisdictional facilities to the Siting Council or  
5 not. It could be owned by a private company and a  
6 carrier could share it.

7 A second part of our tower sharing  
8 statute is related to what's known as a  
9 feasibility proceeding. And in a feasibility  
10 proceeding an entity seeking to share a tower who  
11 is unable to reach an agreement with that tower  
12 owner with regard to technical, environmental,  
13 legal feasibility, may ask the Siting Council to  
14 hold a proceeding to take in evidence from both  
15 parties on the feasibility of sharing the tower.

16 You are correct, there is no term tower  
17 site sharing. It is the tower sharing policy.  
18 That is what the statute discusses. So thank you.

19 MR. MORISSETTE: Thank you, Attorney  
20 Bachman.

21 Mr. Edelson, does that answer your  
22 question?

23 MR. EDELSON: Well, it's an excellent  
24 answer, but I'm not sure it helps me very much  
25 because we are not having a feasibility proceeding

1 with both parties. We only have one party to this  
2 discussion about the site and the tower. But I  
3 think I'm going to move on with that.

4 Let's see, what was my next question  
5 here? So in the application -- I think this might  
6 just be some wording problem -- in the opening  
7 section of the application on the next to last  
8 page, and these don't have page numbers to the  
9 best of my understanding, but right before the  
10 final signature, the last sentence on that under  
11 conclusion on the next to last page begins, "For  
12 all the foregoing reasons, AT&T petitions the  
13 Council providing wireless services to the  
14 public."

15 I'm having a little trouble  
16 understanding what that sentence means. Can you  
17 help me understand it? Is there something that  
18 got dropped? If you need more help with the  
19 reference of what I'm looking at, just let me  
20 know.

21 MR. FISHER: I think it's just a  
22 procedural typo. The language dropped off, the  
23 overall conclusion paragraph. And this is signed  
24 by me as counsel to the applicant, so I don't  
25 think we have an issue of testimony here. But it



1 does go to the heart of the question you were  
2 asking before about petitions, declaratory  
3 rulings, the full extent of the tower sharing  
4 statute as we think can be interpreted by the  
5 Council.

6 MR. EDELSON: Maybe I didn't follow.  
7 Are you saying that's the wording that should be  
8 there, "petitions the Council providing wireless  
9 services to the public"?

10 MR. FISHER: No, no, I was just  
11 indicating I think that's just a typo when we were  
12 doing the actual conversion from petition to  
13 docket in the application, so there's some  
14 language that's missing there.

15 MR. EDELSON: Well, maybe if we have a  
16 break, you can figure out what's missing so we  
17 have an application that has complete sentences.

18 MR. FISHER: We can just redact that  
19 sentence altogether. I don't think it's material.

20 MR. EDELSON: That's one way around it.  
21 Thank you.

22 Let's see, I guess I have questions  
23 about visibility for Mr. Gaudet, and I think these  
24 are pretty straight forward, but again, there's  
25 obviously limits to doing the visibility modeling.

1 But would it be fair to say that after all is said  
2 and done that anybody who can see the current  
3 tower will be able to -- I should put it  
4 differently. Only people who can see the current  
5 tower will be able to see the proposed tower?

6 THE WITNESS (Gaudet): I think  
7 generally, yes. You know, the existing tower is  
8 180 feet, so it's certainly substantially taller,  
9 30 feet higher than what's proposed. You do get  
10 the opportunity, I think, more on a seasonal level  
11 as opposed to a year-round standpoint where, if  
12 currently a pine tree stands in between you and  
13 the existing tower, you step 5 feet to the side or  
14 you stand where you're standing, that a monopole  
15 within a 50-foot radius of the existing facility  
16 could pop out. But I think, yes, generally the  
17 visibility, if you see that existing tower today,  
18 you're probably going to see the new one, and if  
19 you don't see it today, you most likely will not  
20 see the new one.

21 MR. EDELSON: I guess another way of  
22 asking the question would be, the viewshed  
23 analysis you do where you kind of shade in the  
24 yellow area, they would look the same if you were  
25 doing it for the existing tower or the proposed

1 tower?

2 THE WITNESS (Gaudet): I think it would  
3 be, yeah, essentially equal.

4 MR. EDELSON: So the difference with  
5 this application is now, instead of having one  
6 tower there, people who are seeing it will see two  
7 towers, or at least some people will, again, a lot  
8 of it having to do with the angle of the way  
9 they're looking at it. Is there anything that  
10 you're aware of in the literature that from an  
11 aesthetic point of view would indicate that seeing  
12 two colocated towers is more, if you excuse the  
13 word, offensive from an aesthetic point of view  
14 than just seeing one, is that a concern that has  
15 been raised in the literature that we'd rather,  
16 people would rather see one tower in the horizon  
17 versus two side by side?

18 THE WITNESS (Gaudet): I personally  
19 haven't seen any literature, any studies on that.  
20 I'm sure if you surveyed people, you'd get answers  
21 on both sides, hey, I already see the existing  
22 tower today, what's another one, and I'm sure you  
23 get people who are frustrated about seeing an  
24 existing tower and don't want to see a second one  
25 right there. But I don't know if there's any

1 documentation to back that up. I can do a little  
2 research during the break and possibly get you a  
3 better answer.

4 MR. EDELSON: No, I don't think that  
5 will be necessary. I think what you said rings  
6 true that even amongst all of us on this Zoom call  
7 you'd probably get a split of opinions. So I  
8 don't think we'll learn much from that. And I  
9 guess you're saying in your industry people don't  
10 go around saying two towers are worse than one  
11 when you're looking at things, that's not a common  
12 statement?

13 THE WITNESS (Gaudet): It's certainly  
14 not the common lingo, that's for sure.

15 MR. EDELSON: In my line with my name a  
16 lot of people say two Eds are better than one, but  
17 I don't think that's true either, but anyway.

18 So I'd like to turn to Interrogatory  
19 Number 14 because this is the one that I have, I  
20 guess, the most concerns about. And so it is this  
21 whole idea of the existing tower being a  
22 replacement tower for both. And I think Mr.  
23 Perrone got into this a little bit from a cost  
24 point of view, and it sounded like they're pretty  
25 close in terms of building of a new tower that

1 would accommodate both parties, commercial and  
2 municipal.

3           So in my own experience, I've seen AT&T  
4 put both facilities on a new tower, so that is  
5 basically building a new tower, setting up, if you  
6 will, the wireless carriers, and then eventually  
7 bringing the municipal antennas over to AT&T. And  
8 I'm wondering in the conversations with the  
9 city -- I'm sorry, without the conversations with  
10 the city, is it in AT&T's experience do you agree  
11 that this is a feasible solution to have one new  
12 tower and eventually ending up with only one  
13 tower, one new tower constructed with the right  
14 structural integrity from the get-go to replace  
15 the existing tower and provide both, capabilities  
16 for both parties?

17           THE WITNESS (Gaudet): Mr. Edelson, if  
18 I could answer, it's a great question. I think  
19 it's a good segue from speaking about the  
20 visibility of two potential towers. The existing  
21 tower that's there today, as Mr. Hamm alluded to  
22 before, has a large number of municipal whip  
23 antennas on it, they've got some microwave links.  
24 So from a standpoint of what the city might need,  
25 having been in the industry for as long as I have

1 been, I would assume they're going to need a  
2 self-support structure to be able to accommodate  
3 the directional positions at the varying heights  
4 that they currently sit at.

5 To move to a monopole with the amount  
6 of space that the city has on there for public  
7 utilities, public safety, you really limit what  
8 commercial carriers could install just due to  
9 interference with antennas. So the feasible way  
10 to get around getting everybody onto one tower  
11 would be a much larger self-support tower. This  
12 one that's there today is fairly small. It tapers  
13 to about 5 feet at the top, and it's only about 11  
14 or 12 feet at the bottom. To accommodate  
15 structurally multiple carriers and public safety  
16 at 180 feet, and Mr. Hamm can speak to this as  
17 well, you're probably looking at a 25 foot base  
18 tower. So you're substantially from a visual  
19 perspective now substantially increasing what that  
20 existing facility would look like today.

21 And I'll let Mr. Hamm speak to what the  
22 width of that potential tower might look like up  
23 top, but substantially larger than 5 feet would be  
24 my guess.

25 MR. EDELSON: Thank you for that

1 response. Please, Mr. Hamm.

2 THE WITNESS (Hamm): Typically if we  
3 were to support multiple wireless carriers and the  
4 municipal, we're probably looking at a tower base  
5 of 20 to -- 25 to 27 feet, and then the top width  
6 of approximately 8 to 10 feet. Right now that  
7 tower is only designed for municipal emergency  
8 services. We see these all the time. And it  
9 begins its taper at 80 feet, so the top 100 feet  
10 of it is only 5 feet wide. Whereas, if we were to  
11 do four carriers, we'd have to begin that taper a  
12 lot later so that it would be a lot wider all the  
13 way up.

14 MR. EDELSON: Well, if I could, for Mr.  
15 Lavin, do you from a -- I understand Mr. Gaudet's  
16 point of view in terms of putting it all on one  
17 tower creates structural issues, but from the  
18 standpoint of radio frequency and operation,  
19 assuming the structure is sufficient, does AT&T  
20 envision a problem with having both there?

21 THE WITNESS (Lavin): Colocating with  
22 public safety is something we can easily work out.  
23 It's more, this tower is built to support a couple  
24 of whip antennas and a few dishes which is all  
25 public safety currently needs. We put 12, you

1 know, 8 by 4-foot antennas at the top, all of our  
2 radios are at the top. We're in the hundreds and  
3 even thousands of pounds of equipment. So what we  
4 and the subsequent carriers would put in is not  
5 the kind of thing this tower was ever meant for.

6 MR. EDELSON: But maybe I can go back  
7 to Mr. Hamm. And it sounds like this hasn't been  
8 really evaluated, but this bigger structure, how  
9 much more do you think this would create in terms  
10 of cost, is this a, you know, doubling of the  
11 cost, 50 percent more, 20 percent more? You're on  
12 mute.

13 THE WITNESS (Hamm): Sorry. It's  
14 probably closer to 50 percent more. That's only  
15 the structure and building it, not including the  
16 cost to move the carrier -- redo the municipal  
17 work. Maybe I should --

18 MR. EDELSON: So it's just kind of  
19 tower to tower bringing the equipment onto the  
20 side, okay. But as far as I'm hearing, this is  
21 something that AT&T decided was not a viable  
22 option to pursue, you haven't put pencil to paper  
23 on this particular alternative?

24 THE WITNESS (Hamm): No, we've not been  
25 directed.



1 MR. EDELSON: Okay.

2 MR. FISHER: We can have Mr. Pike  
3 answer that question. Because those are all  
4 conversation that came up since 2018 with the  
5 city. So you can answer the question.

6 THE WITNESS (Pike): Right. We had  
7 conversations with the city, and they were very  
8 forward about moving forward with the second  
9 tower. We gave them all that information, we  
10 provided all that, and they pushed for the second  
11 tower.

12 MR. EDELSON: Okay. I guess I'm going  
13 to just move on to my last -- well, just an  
14 observation. Mr. Perrone brought up a number of  
15 questions regarding wetlands, and very often we  
16 see in a docket a lot of the information that Mr.  
17 Perrone was suggesting. I didn't even realize, I  
18 was thinking there weren't even wetlands around  
19 there until I think it was like over the last  
20 pictures in the field review where there was a  
21 little arrow that said wetlands here, and again,  
22 from the answer to Mr. Perrone's appropriate  
23 question, you know, 30 feet away.

24 Why in the docket were you not  
25 providing all of that wetland information that

1 AT&T almost, in my experience, always provides in  
2 a docket for a new tower? What was the thinking  
3 behind that? Mr. Pike, as project manager, I  
4 would look to you.

5 THE WITNESS (Pike): Yeah, so at the  
6 beginning stage when we first had Fullerton go out  
7 there, it was during the wintertime. And when  
8 they went out, they did not see any type of water  
9 or standstill of water, so they decided not to go  
10 forward with any type of investigation at the  
11 beginning.

12 MR. EDELSON: So in other words, when  
13 the field review photos were taken, that's when  
14 somebody said, oh, that looks like wetlands over  
15 there?

16 THE WITNESS (Pike): And the city also  
17 did not give us any type of indication that there  
18 was any wetlands going on over there as well when  
19 we first went out.

20 MR. EDELSON: Okay. Well, I guess one  
21 more question. This is in regard to, I think,  
22 Interrogatory 45 and 46. I was kind of interested  
23 or confused a little bit about the comment that  
24 AT&T doesn't have statistics on dropped calls and  
25 other indicators of substandard service based on a

1 geographic area. And I actually thought you did,  
2 I mean, that's how you know if you've got a  
3 problem in a certain area. So I just found that  
4 response counter to what I've been hearing here in  
5 my position on the Council.

6 And then on 46 you basically said that  
7 you have a coverage gap. And I'm trying to figure  
8 out, if you don't have statistics on substandard,  
9 substandard provision of service, how do you know  
10 you have a gap and how do you define it? Can you  
11 help me out a little bit with the answers to 45  
12 and 46?

13 THE WITNESS (Lavin): It's Martin  
14 Lavin. 45, we don't have them readily available.  
15 This really was driven by coverage. In terms of  
16 coverage, we have drive test data taken in this  
17 area that confirms a lack of coverage.

18 MR. EDELSON: Well, maybe I'm -- and  
19 when you say "readily," you mean if we said we  
20 need to have that before we can go forward, could  
21 you develop these statistics?

22 THE WITNESS (Lavin): I believe we can,  
23 yes, uh-huh.

24 MR. EDELSON: So it was not a question  
25 of available, it was more a question of

1 accessibility, they weren't easily accessible for  
2 putting this together, but they are available if  
3 one wants to go get them?

4 THE WITNESS (Lavin): Yes.

5 MR. EDELSON: Okay. Well, when you use  
6 words like "significant gap in coverage," how does  
7 AT&T define "significant"?

8 THE WITNESS (Lavin): In this case,  
9 AT&T had what it felt was a significant gap in  
10 coverage, and that was also the case in public  
11 safety's assessment. This area was known to them  
12 to be a coverage gap for FirstNet.

13 MR. EDELSON: Right. But I'm kind of  
14 getting at the word "significant." I mean, that  
15 sounds to me, it's a very qualitative word, you  
16 know, what's significant to me might not be  
17 significant to you. Does AT&T have a way to  
18 measure what's significant? How bad do things  
19 have to get? Do we have a metric for that?

20 THE WITNESS (Lavin): I'm not aware of  
21 a specific definition of "significant." As an  
22 operator you have your gaps that everyone has  
23 identified in the system and, given your budget  
24 every year, they're prioritized. This one came up  
25 for AT&T and for FirstNet as a priority to get

1 this coverage gap filled as shown by the drive  
2 test measurements we've made.

3 MR. EDELSON: Okay. Mr. Morissette,  
4 that's all the questions I have for now. Thank  
5 you.

6 MR. MORISSETTE: Thank you, Mr.  
7 Edelson. We will now continue with  
8 cross-examination by Mr. Silvestri followed by Mr.  
9 Nguyen.

10 Mr. Silvestri:

11 MR. SILVESTRI: Thank you, Mr.  
12 Morissette. I'd like to start off first to see if  
13 I could help Mr. Edelson with that last page of  
14 the application. If you look at that last page  
15 where the signature is, Mr. Edelson, and look at  
16 the page directly before it, you'll find that the  
17 last line on the page before it is reproduced  
18 where the signature is. So they both say,  
19 "providing wireless services to the public. For  
20 all the foregoing reasons, AT&T petitions the  
21 Council," if you get rid of one of them, it will  
22 read correctly.

23 MR. EDELSON: Thank you very much.

24 MR. SILVESTRI: Okay. Now, going  
25 forward, I'll try not to duplicate Mr. Perrone's

1 and Mr. Edelson's questions, although I do have  
2 follow-up questions on the various things that  
3 they had posed. And again, I'm looking for  
4 clarity. So I'd like to start first with the  
5 topic of wetlands. In my opinion, there wasn't  
6 much information that was provided in both the  
7 application and the interrogatory responses on  
8 wetlands. So, for example, if you look at Tab 5  
9 of the application, that's the National Wetlands  
10 Inventory, there's a white circle at the middle of  
11 the page that is in a wetland. Question: Was  
12 that the original proposed location for the new  
13 cell tower?

14 MR. FISHER: That's a question for  
15 either Brian or Dan. I'm looking at the map that  
16 you identified behind Exhibit 5.

17 MR. SILVESTRI: I'll reiterate.  
18 There's a round white circle almost dead center in  
19 the middle of that inventory picture that's  
20 surrounded by green. And that's why I'm curious  
21 if that was the original proposed location for  
22 this tower.

23 THE WITNESS (Gaudet): What attachment  
24 was that again, Mr. Silvestri?

25 MR. SILVESTRI: This is in the original

1 application under Tab 5. It's the National  
2 Wetlands Inventory.

3 THE WITNESS (Hamm): The Wetlands  
4 Inventory, I think that's just the -- it's an  
5 arrow with a circle in it. It's just a location  
6 marker, I believe.

7 MR. SILVESTRI: Well, let me pose the  
8 question again. Was the original proposed  
9 location in a wetland?

10 THE WITNESS (Hamm): It was within 4  
11 feet or so.

12 MR. SILVESTRI: The map, the National  
13 Wetlands Inventory does nothing for me. That's  
14 why I say I thought the wetlands part was kind of  
15 sparse. So let me continue and I'll pose this  
16 question: Is the revised location within a  
17 wetland?

18 THE WITNESS (Hamm): No.

19 MR. SILVESTRI: Now, you mentioned the  
20 distance from the fence line to the wetland would  
21 be approximately 30 feet. How about the area of  
22 disturbance, how far away would the area of  
23 disturbance be to the wetland?

24 THE WITNESS (Hamm): Probably 27 to 28  
25 feet. It's pretty flat.

1 MR. SILVESTRI: 27 to 28 feet. Thank  
2 you for that response.

3 And if I heard correctly, only a  
4 delineation was performed for the wetland area,  
5 that there was no identification or survey for  
6 wetland species, vernal pools, et cetera. Am I  
7 correct on that?

8 THE WITNESS (Gaudet): We performed as  
9 part of our delineation, a full wetland  
10 inspection. If any indicators of a vernal pool  
11 are noted on site, we would then continue to  
12 evaluate that wetland above and beyond a  
13 delineation.

14 MR. SILVESTRI: But there was no  
15 recording or report within the application or the  
16 interrogatories on that; is that correct?

17 THE WITNESS (Gaudet): Correct.

18 MR. SILVESTRI: So right now we're kind  
19 of taking it verbatim as opposed to having  
20 something in writing?

21 THE WITNESS (Gaudet): Correct. We  
22 could certainly provide a report.

23 MR. SILVESTRI: All right. Going back  
24 to what Mr. Hamm mentioned about it being flat,  
25 when I look at one of the drawings, there seems to



1 be a slight elevation where the compound would be  
2 located compared to the wetland. Mr. Perrone had  
3 asked what measures would be employed to protect  
4 the wetlands during construction. The question I  
5 have for you, will the base of the compound be  
6 sloped away from the wetland and more towards the  
7 bituminous pavement?

8 THE WITNESS (Hamm): It can be.

9 MR. SILVESTRI: Thank you. Next topic  
10 I have is the Natural Diversity Data Base areas,  
11 and this is Tab 6. Tab 6 of the application  
12 contains the NDDDB area map for Middletown and to  
13 the north of the proposed site is an area  
14 designated as quote-unquote State and Federal  
15 Listed Species. Question for you: Have any  
16 surveys been performed to identify what might be  
17 present in and around this area that can traverse  
18 the site such as migratory birds, the northern  
19 long-eared bat or any other type of species?

20 MR. FISHER: Mr. Gaudet, can you just  
21 answer that question?

22 THE WITNESS (Gaudet): Yeah. We have  
23 not been asked at this point to evaluate any  
24 additional environmental concerns. We were  
25 brought on initially to evaluate visibility

1 subsequently, but during the remote field review  
2 as part of the interrogatories we discovered the  
3 wetland. The very next day we had our scientist  
4 out on site to evaluate those wetlands but no  
5 additional environmental studies have been  
6 performed as of yet.

7 MR. SILVESTRI: Okay. Thank you for  
8 that response. I'd like to move on to the cost  
9 issue, and some of this was touched upon with  
10 questions by Mr. Perrone. If I heard correctly  
11 from Mr. Hamm, to reinforce the existing lattice  
12 tower would be about \$300,000, is that correct,  
13 did I hear correctly?

14 THE WITNESS (Hamm): 300,000 to 350,000  
15 I believe is what I said.

16 MR. SILVESTRI: And that's just for  
17 reinforcement, not for antennas or putting any  
18 type of other structures on it?

19 THE WITNESS (Hamm): Correct.

20 MR. SILVESTRI: Thank you. Then going  
21 back to looking at the existing lattice tower, I  
22 tried to see through Google Maps and other type of  
23 resources what might be on that existing lattice  
24 tower, and from what I'm seeing, I don't see a lot  
25 of equipment. So I'm kind of questioning the

1 round of questions that Mr. Edelson had posed to  
2 you about taking the equipment off of the lattice  
3 and putting it on a new tower. Could you describe  
4 what is exactly on that lattice tower at this  
5 point? I see a couple whips and I see a dish or  
6 two. I don't see anything else.

7 THE WITNESS (Gaudet): Mr. Silvestri, I  
8 can point you at least to Photo 7-A in the remote  
9 field review. So that's a fairly good centered  
10 shot of the existing lattice tower there, and we  
11 can see whip antennas up and down. Again, it's,  
12 with it being a lattice tower, it's tough to see  
13 what might be on that back leg coming off, but  
14 there are at least two microwave links and at  
15 least three whip antennas which appear to be  
16 probably in the 15 to 20 foot range. So I think  
17 that's what Mr. Hamm was alluding to in terms of  
18 occupying space, not necessarily that they are  
19 mounted continuously from, you know, 80 feet to  
20 150 but that that space with the antennas, so from  
21 an RF standpoint, would be occupied.

22 MR. SILVESTRI: Well, is there a  
23 concern in moving the city's equipment to the  
24 proposed new tower, is the concern with the weight  
25 of the city's equipment or size of the city's

1 equipment or both?

2 THE WITNESS (Hamm): I would think the  
3 biggest concern would be location. Right now they  
4 occupy approximately from elevation 90 through  
5 elevation 170 with their equipment. I can't speak  
6 to their RF plan for their equipment, but they  
7 have their whips at different heights for a  
8 reason, along with the microwave links for  
9 different reasons.

10 MR. SILVESTRI: And from an RF  
11 standpoint, could there be interferences either  
12 between the city's equipment on one tower and  
13 AT&T's equipment or vice-versa?

14 THE WITNESS (Lavin): Martin Lavin.  
15 Similar equipment exists on other towers and  
16 coexist. From a simple interference standpoint  
17 for radio frequency, there wouldn't be anything we  
18 couldn't work around somehow.

19 MR. SILVESTRI: Okay. So looking at  
20 the COW standpoint that was mentioned as a  
21 temporary holdover, I still don't understand  
22 what's prohibiting taking the city's equipment and  
23 putting it on the new proposed tower. Could  
24 somebody try to sum that up for me? I really  
25 don't see an impediment to that.

1           MR. FISHER: I think that's a  
2 combination of Dan Hamm and Martin Lavin on  
3 engineering and structural questions.

4           THE WITNESS (Lavin): I think the city  
5 is concerned with disruption of their services  
6 while this is going on. I don't think it's  
7 something that we haven't worked around at other  
8 sites, but, I mean, that was the city's concern,  
9 as I understand it.

10          MR. SILVESTRI: Would a COW satisfy the  
11 city's concerns?

12          THE WITNESS (Hamm): I think that would  
13 be a hard case because the top whip is close to  
14 160 feet off the ground. We don't usually see  
15 COWs much larger than 80 to 90 feet. So it could  
16 be a disruption.

17          MR. SILVESTRI: All right. One other  
18 question then. Assuming that the new tower is  
19 approved, you construct it, you place whatever  
20 equipment that you have on it for AT&T's  
21 standpoint, the city is still operating on the  
22 lattice tower. Is it feasible to put new  
23 equipment on the new proposed tower for the city,  
24 once that's installed then do a cutover and not  
25 have any interruption?

1           THE WITNESS (Lavin): I don't have the  
2 structural in front of me, but they have an  
3 antenna, I believe, at the base at 150 feet  
4 sticking up to about 170. There may be a support  
5 necessary at the top of that whip because it's not  
6 strong enough to stand on its own, I don't know.  
7 The 150-foot tower may not be enough to hold up  
8 even -- it's not a huge structural load, but that  
9 antenna may need support at the top.

10           MR. SILVESTRI: Again, I wasn't looking  
11 at it from a structural standpoint. I was looking  
12 at it from a continuity standpoint that service is  
13 still provided to the city. They have their  
14 existing lattice, new materials are going on, on a  
15 proposed new tower, and then there's a cutover to  
16 make sure that the new equipment is operational.  
17 Is that feasible without losing any continuity for  
18 the city?

19           THE WITNESS (Lavin): From a service  
20 continuity standpoint, coverage standpoint, it  
21 certainly seems to be within the realm of  
22 possibility if all the logistics work out.

23           MR. FISHER: Could Mr. Hamm answer that  
24 question as well because there's multiple  
25 disciplines and issues in response to these

1 questions?

2                   What would be required, Mr. Hamm, to do  
3 that, as Mr. Silvestri is asking?

4                   THE WITNESS (Hamm): Construction  
5 completion on the new tower and coordination with  
6 the heights that the town is requiring for its  
7 emergency services I think is the biggest  
8 challenge. It is always possible. It's just a  
9 matter of fitting everything in that we need to  
10 fit in.

11                   MR. SILVESTRI: Okay. Let me leave it  
12 at that. Mr. Lavin, I'd like to talk about 5G  
13 next.

14                   THE WITNESS (Lavin): Okay.

15                   MR. SILVESTRI: And this is in response  
16 to Interrogatory Number 41. It's stated there  
17 that the antennae will only support 5G in the  
18 low-band spectrum and not 5G plus. First question  
19 I have, why not include 5G plus?

20                   THE WITNESS (Lavin): 5G plus operates  
21 at millimeter waves. It's anywhere from 30 to 10  
22 times the frequency that we're working at, the  
23 antennas are completely different, and the value  
24 add in this area of a millimeter wave system would  
25 be minimal at the present time.

1 MR. SILVESTRI: Does the 5G plus get  
2 into the so-called C-band frequencies?

3 THE WITNESS (Lavin): C-band is 3.5  
4 gigahertz. We're at 24 to 39 gigahertz, so about  
5 ten times that frequency.

6 MR. SILVESTRI: Ten times that, okay.

7 THE WITNESS (Lavin): 5G plus, yes.

8 MR. SILVESTRI: All right. One other  
9 question I have on that. My understanding is that  
10 the FAA is concerned about potential interference  
11 by 5G to aircraft altimeters that are using  
12 frequencies somewhere in the range of 4.2 to 4.4  
13 gigahertz. Are you aware of any hold that FAA put  
14 on the deployment of increased 5G speeds?

15 THE WITNESS (Lavin): I know that the  
16 C-band deployment for AT&T and Verizon, at least,  
17 and I think maybe T-Mobile as well in the news,  
18 they were halting any further deployment at the  
19 very least at 3.5.

20 MR. SILVESTRI: They're halting it at  
21 3.5 even though the altimeters are up at 4.2; is  
22 that correct?

23 THE WITNESS (Lavin): I'm not exactly  
24 sure where the altimeters are, but that's  
25 potentially close enough. There are those who say



1 there's no problem at all. There are those who  
2 say there's a potential problem. So I think they  
3 are currently trying to study it to figure out  
4 whether there really is a problem or not.

5 MR. SILVESTRI: Thank you. Thank you  
6 for that response. A new topic I have for you is  
7 on hinge point or yield point, if you will. And  
8 going back to Interrogatory Number 25, it states  
9 that no yield point would be required as it  
10 relates to the property boundary. However, if I  
11 look at drawing C-2, there is a distance between  
12 the existing lattice tower and the proposed new  
13 tower that to me seems to be about 45 feet.

14 So a question for you, is there a  
15 possibility and concern that the proposed new  
16 tower could catastrophically fail and impact the  
17 lattice tower, if that still remains; or  
18 conversely, that the lattice tower could fail and  
19 impact the proposed new tower due to the short  
20 distance between the two?

21 THE WITNESS (Hamm): Catastrophically  
22 there's always a possibility, correct. I mean,  
23 typically that would be some pretty good luck for  
24 them to hit each other, but it can be designed to  
25 have a yield point so that our tower or the new

1 tower does not affect the existing tower.

2 MR. SILVESTRI: What I'm looking at, I  
3 mean, we put in yield points that if there's a  
4 failure of some type, call it catastrophic or not,  
5 that you want to keep it on the same property. So  
6 I'm kind of looking at it to say, all right, do we  
7 want to keep it away from either tower, and I  
8 think the answer might be yes.

9 THE WITNESS (Hamm): Yes, it could be  
10 designed that way.

11 MR. SILVESTRI: Thank you. Then  
12 looking at the proposed new tower, I couldn't find  
13 any information on how many additional carriers  
14 would be proposed that could be supported on a new  
15 tower or at what heights. Do you have any of that  
16 information?

17 THE WITNESS (Hamm): The tower can be  
18 designed to accommodate as many carriers as AT&T  
19 directs us to. Typically there are 10-foot  
20 separation between carriers.

21 MR. SILVESTRI: And how many carriers  
22 would this be designed for if it's approved?

23 THE WITNESS (Hamm): Scott, do you have  
24 that answer?

25 THE WITNESS (Pike): Yes, it would be

1 at least three total.

2 MR. SILVESTRI: Three total including  
3 AT&T?

4 THE WITNESS (Pike): Yes.

5 MR. SILVESTRI: Thank you. And again,  
6 separated approximately 10 feet?

7 THE WITNESS (Pike): Yes.

8 MR. SILVESTRI: Okay. Thank you. And  
9 Mr. Gaudet, going back to the visual topic that  
10 came up, in my opinion, I don't think a monopine  
11 would really work. I think that would stand out  
12 as being more bulky and much taller than the  
13 surrounding vegetation. But a question that I've  
14 posed at other hearings with cell towers, has  
15 there been any thought about constructing a watch  
16 tower?

17 THE WITNESS (Gaudet): I don't think  
18 that's been explored here. You know, I think  
19 there are probably situations where a watch tower  
20 would work well, you know, heavily wooded  
21 mountainous areas, you know, something up in  
22 Vermont. I think here with an existing tower  
23 right there, a monopole is the best fit for the  
24 existing environment from a visual perspective.

25 MR. SILVESTRI: Okay. Thank you for

1 your response. I have a curiosity question on  
2 antennae, and this goes to Drawing A-3. My  
3 curiosity is, do you know where the antennae and  
4 appurtenances are manufactured?

5 MR. FISHER: Mr. Hamm or Mr. Lavin  
6 might know. I'm not sure.

7 THE WITNESS (Lavin): I don't know  
8 country of origin.

9 THE WITNESS (Hamm): Neither do I.

10 MR. SILVESTRI: I didn't either which  
11 is why I posed the question. So thank you. Then  
12 if you could turn to Drawing A-1. There is an  
13 existing propane tank presumably for the existing  
14 lattice tower. One question I have, I believe  
15 that with Mr. Perrone came up, is that you could  
16 possibly use propane if this new tower is approved  
17 using a different tank, obviously, but was natural  
18 gas considered for a new generator or is natural  
19 gas available on that site?

20 THE WITNESS (Pike): I don't believe it  
21 was, they did not look into that, but it is a  
22 possibility to use natural gases.

23 MR. SILVESTRI: Okay. Thank you. And  
24 then staying with that drawing A-1, my  
25 understanding with propane tanks is that generally

1 the minimum distance from any source of ignition  
2 would be 10 feet. Now, looking at what's proposed  
3 for the power cables in that drawing, they appear  
4 to be less than 5 feet away from the existing  
5 propane tank. So the question I have, do power  
6 cables need to be located further away as they  
7 might be considered a potential source of  
8 ignition?

9 THE WITNESS (Hamm): No.

10 MR. SILVESTRI: No in that they  
11 wouldn't be considered a potential source of  
12 ignition?

13 THE WITNESS (Hamm): Correct. Where  
14 they're terminated is usually where they consider  
15 the source of ignition.

16 MR. SILVESTRI: Very good. Thank you.

17 Mr. Morissette, that's all the  
18 questions that I have. Thank you.

19 MR. MORISSETTE: Thank you, Mr.  
20 Silvestri. We will now take a 12-minute break and  
21 reconvene at 3:40. So we'll see everybody at  
22 3:40. Thank you.

23 (Whereupon, a recess was taken from  
24 3:28 p.m. until 3:40 p.m.)

25 MR. MORISSETTE: We'll now continue

1 with cross-examination by Mr. Nguyen followed by  
2 Mr. Lynch.

3 Mr. Nguyen, please.

4 MR. NGUYEN: Good afternoon, Mr.  
5 Morissette. Thank you. I have a few follow-up  
6 questions. And I appreciate the discussion that  
7 was provided earlier. I certainly crossed out  
8 some my questions.

9 Let me start with the first one  
10 regarding the integration that was asked by Mr.  
11 Edelson. And I know the term integration was  
12 provided in the application when it talks about  
13 that this tower site's integration into the  
14 city-wide public safety network. First of all,  
15 when we talk about integration, we're not talking  
16 about joining the two public safety networks, the  
17 city and AT&T together as a single network; am I  
18 right?

19 MR. FISHER: I'm going to ask Mr. Lavin  
20 to answer that question.

21 THE WITNESS (Lavin): Martin Lavin.  
22 AT&T is integrated with FirstNet, but with the  
23 rest of public safety they're not integrated with  
24 each other, no.

25 MR. NGUYEN: The word integration was

1 provided in the application. I just want to  
2 clarify that. So they are operating as two  
3 independent networks?

4 THE WITNESS (Lavin): Yes.

5 MR. NGUYEN: And they are just -- and  
6 assuming that there's tower sharing, they just  
7 share at the same site and not --

8 THE WITNESS (Lavin): Operating  
9 completely independently, yes.

10 MR. NGUYEN: And to that extent, you  
11 have seen that there are multiple public safety  
12 networks sharing the same site for public safety  
13 purposes?

14 THE WITNESS (Lavin): There are plenty  
15 of towers you can find that have multiple  
16 commercial carriers along with the various public  
17 safety, police, fire, ambulance and so forth all  
18 together on the same tower.

19 MR. NGUYEN: Right. And again, to  
20 clarify Mr. Edelson, to that extent it's not an  
21 issue going forward should there be multiple  
22 public safety networks sharing on the same site?

23 THE WITNESS (Lavin): Yeah, I think the  
24 concerns are a matter of how do we get from where  
25 we are to there.

1 MR. NGUYEN: Okay. Speaking about  
2 towers, Mr. Silvestri asked a question about the  
3 number of carriers, and you mentioned, and I want  
4 to get a witness answer, that it can accommodate  
5 three total. So two more, and we have Verizon in  
6 the record, so there's going to be another carrier  
7 that the new tower can accommodate; is that right?

8 THE WITNESS (Lavin): In terms of  
9 networks, there's AT&T, there's Verizon, there's  
10 T-Mobile, and they're getting together with  
11 Sprint, and as your dockets of tower share  
12 applications show, DISH Network is moving very  
13 aggressively to become the fourth provider of  
14 actual physical networks.

15 MR. NGUYEN: I'm talking about the new  
16 tower now. The new tower can accommodate three  
17 total?

18 THE WITNESS (Lavin): I believe it's  
19 engineered to accommodate the typical  
20 installations for AT&T and two more carriers.

21 THE WITNESS (Pike): Yes, that's  
22 correct. Scott here. That's correct. And it  
23 could also be four too, if needed.

24 MR. NGUYEN: Okay. Now, does that  
25 include the municipal public safety network?



1 THE WITNESS (Pike): No, it does not.

2 MR. NGUYEN: So there's specific, for  
3 lack of a better word, municipal gain for  
4 municipal purposes?

5 THE WITNESS (Lavin): The  
6 installation --

7 MR. NGUYEN: Someone answered very  
8 vaguely in the background. I'm not sure who  
9 answered that.

10 THE WITNESS (Lavin): The installation  
11 is very much more substantial for the commercial  
12 carriers, DISH, AT&T, Verizon. And to accommodate  
13 additional -- to add, if the police are there, to  
14 add the fire or to add the ambulance is a much  
15 smaller increment of structural stress on the  
16 tower, so it's not the same. We don't have to  
17 provide as much ahead of time to put a whip  
18 antenna or a single dish up for them.

19 THE WITNESS (Gaudet): Mr. Nguyen, if I  
20 might. I think to your question about the number  
21 of carriers, I think the tower can be designed to  
22 accommodate all four commercial carriers and any  
23 municipal antennas, public safety, et cetera. I  
24 think one of the constraints here with this site  
25 is, as it's a compound expansion, you are limited,

1 as it's proposed, to the ground space within the  
2 compound. So currently proposed, you would be  
3 limited to two additional carriers. That's not to  
4 say that the compound could not be applied for an  
5 expansion for a third future carrier. But I think  
6 just strictly speaking from a tower standpoint, a  
7 physical tower standpoint, it could be designed to  
8 accommodate all the commercial carriers.

9 MR. NGUYEN: Now, there was an answer  
10 provided regarding the wetland, and it provided 30  
11 feet from the fence of the new tower. What about  
12 the existing tower, what is the distance from the  
13 existing tower to the wetland area?

14 THE WITNESS (Hamm): I don't have the  
15 exact dimensions of the tower, but to the fence  
16 around the compound it's around 8 feet in some  
17 areas. Some areas it's right against it. In  
18 other areas it is 30 feet, 29 feet and 22 feet to  
19 the wetlands. I can get that dimension shortly  
20 though.

21 MR. NGUYEN: So what is the distance  
22 from the proposed tower to the wetland area?

23 THE WITNESS (Hamm): From the fenced  
24 compound it is 26 feet down to 20 feet.

25 MR. NGUYEN: And what's the distance

1 between the new tower to the fence compound, about  
2 50 feet or so or 25 feet?

3 THE WITNESS (Hamm): Yeah, about 25  
4 feet.

5 MR. NGUYEN: And the existing tower,  
6 again, could be another 25 feet from the existing  
7 tower to the fence or it's more?

8 THE WITNESS (Hamm): It's about 20  
9 feet, yes, 20 feet.

10 MR. NGUYEN: Now, back to the duration,  
11 and I want to ask a question about the duration to  
12 build a new tower. From start to finish, what are  
13 we talking about in terms of time frame or number  
14 of months or weeks?

15 THE WITNESS (Hamm): To construct the  
16 new tower?

17 MR. NGUYEN: Yes.

18 THE WITNESS (Hamm): Around 90 to 120  
19 days.

20 MR. NGUYEN: And is it from the  
21 commencement, from start to finish; is that right?

22 THE WITNESS (Hamm): Correct.

23 MR. NGUYEN: Now, to reinforcing the  
24 existing tower what would be the duration?

25 THE WITNESS (Hamm): Probably 60 to 90

1 days still. That would depend a lot on the  
2 coordination with the existing equipment on the  
3 tower also.

4 MR. NGUYEN: And then my last question  
5 about the 5G. And it's my understanding that if  
6 5G plus, should the company proceed or there's a  
7 demand for that in the future, you can accommodate  
8 that by changing out the equipment whether it's  
9 using the existing tower or build a new tower?

10 THE WITNESS (Lavin): I don't know  
11 exactly what form it would take by the time 5G  
12 plus gets out here, but the tower would certainly  
13 accommodate it. Whatever equipment changes we'd  
14 make, of course, we'd have to come back before the  
15 Siting Council.

16 MR. NGUYEN: Right. But in terms of  
17 structure --

18 THE WITNESS (Lavin): The basic  
19 structure is no problem for 5G, yeah.

20 MR. NGUYEN: Okay. And one last  
21 question about the existing tower. There was some  
22 information regarding that the existing tower  
23 capacity has been reached, is that right, and what  
24 does that mean, it cannot accommodate any more?

25 THE WITNESS (Hamm): We have not done a

1 structural analysis on the existing tower for the  
2 way it stands at this point.

3 MR. NGUYEN: Okay.

4 THE WITNESS (Hamm): But to put AT&T on  
5 it, we have only done the analysis for AT&T, in  
6 which case the capacity is exceeded greatly.

7 MR. NGUYEN: Okay. So it's not so much  
8 of the space, it just structurally cannot  
9 accommodate more load; is that right?

10 THE WITNESS (Hamm): Not accommodate  
11 AT&T's load the way it's proposed. I don't know  
12 what it can accommodate in terms of additional  
13 whip antennas or microwaves.

14 MR. NGUYEN: Okay. Thank you very  
15 much. And that's all I have, Mr. Morissette.

16 MR. MORISSETTE: Thank you, Mr. Nguyen.  
17 We will now continue with cross-examination by Mr.  
18 Lynch followed by Ms. Cooley.

19 Mr. Lynch.

20 MR. LYNCH: Can you hear me, Mr.  
21 Morissette?

22 MR. MORISSETTE: Yes, I can, Mr. Lynch.  
23 Thank you.

24 MR. LYNCH: All right. Thankfully most  
25 of my questions have already been answered. I'd

1 like to thank Mr. Silvestri. Every time he asked  
2 a question, I'd check something off. He and I  
3 have been doing this for too long.

4 I do have a few follow-ups. With  
5 regards to the collapsing of towers, isn't it more  
6 likely that a self-supporting unguyed lattice  
7 tower would collapse long before a monopole?

8 THE WITNESS (Hamm): I don't think  
9 that's a statement that can be made.

10 MR. LYNCH: All right. Let's say if  
11 that lattice tower was to collapse on your tower,  
12 could that do some serious damage?

13 THE WITNESS (Hamm): It could do damage  
14 to the equipment, not necessarily the tower.

15 MR. LYNCH: That's what I was getting  
16 at. Thank you. The reason I asked the question  
17 is I have seen lattice towers that have collapsed  
18 in bad weather, but I've never seen a monopole  
19 come down. So that's the reason I asked the  
20 question.

21 THE WITNESS (Hamm): I understand.  
22 Usually most of the tower collapses are caused by  
23 debris striking the tower, not necessarily the  
24 tower.

25 MR. LYNCH: Now, with regards to a

1 possible propane tank, Mr. Silvestri asked you  
2 about the spacing. If you had a 500 or a  
3 200-gallon propane tank, would there be enough  
4 space available in the compound, would you have to  
5 incorporate the spacing from the propane tanks?

6 THE WITNESS (Hamm): Yes.

7 MR. LYNCH: With regards to the tower  
8 being built higher, federal regulations allows  
9 them to go up 10 percent. Now, wouldn't you want  
10 to build the base of that tower to actually  
11 accommodate that additional, you know, possible  
12 going up 10 percent? You were talking before, you  
13 just said you'd look into it, but you didn't say  
14 whether you would actually build a tower to  
15 accommodate going higher.

16 THE WITNESS (Hamm): I think that's a  
17 financial decision that's made by AT&T.

18 MR. LYNCH: That doesn't answer my  
19 question. I'm asking if the feds say you can do  
20 it, wouldn't you want to be ready to do it?

21 THE WITNESS (Hamm): I always want to  
22 build things bigger, yes.

23 MR. LYNCH: All right, I'll drop it.  
24 You mentioned that Verizon has an interest. At  
25 what height? If you said it before, I apologize,

1 I didn't hear it.

2 THE WITNESS (Lavin): We don't know at  
3 what height.

4 MR. FISHER: Hang on -- go ahead.

5 THE WITNESS (Lavin): This is Martin  
6 Lavin. We don't know at what height, no.

7 MR. LYNCH: But you're assuming they're  
8 going to go below you at 150; is that correct?

9 THE WITNESS (Lavin): The general  
10 assumption would be they'd go right in underneath  
11 us at 140-foot centerline.

12 MR. LYNCH: Thank you. That gives them  
13 their 10 feet of separation?

14 THE WITNESS (Lavin): Yes.

15 MR. LYNCH: We've talked a lot about  
16 back-up power, and I ask this question at every  
17 hearing. The back-up power doesn't do you any  
18 good if your phone trunk line goes down. Now, if  
19 that's the case, now that AT&T owns Frontier  
20 again, is there any plan to get, if that phone  
21 line, that trunk line is down, to get it back up  
22 in a hurry?

23 THE WITNESS (Lavin): Nothing specific  
24 that I'm aware of.

25 MR. LYNCH: I beg your pardon?



1 THE WITNESS (Lavin): I'm not aware of  
2 anything specific in terms of that.

3 MR. LYNCH: All right. Phones are  
4 going off like crazy here, so I apologize when I'm  
5 off mute. Give me a second to see what I haven't  
6 checked off here.

7 Now, I noticed -- and this question was  
8 asked earlier -- on the lattice tower -- again, I  
9 apologize if I didn't hear it right -- there is  
10 other equipment on there that had shown in your  
11 A-2 design drawing. What's the equipment on the  
12 lattice tower?

13 THE WITNESS (Hamm): The existing  
14 equipment on the lattice tower is existing whips  
15 and microwaves owned by the town.

16 MR. LYNCH: I see two apparatus on the  
17 tower. You only mentioned one. What's the other  
18 one?

19 THE WITNESS (Hamm): Microwaves.

20 MR. LYNCH: They're both microwaves?

21 THE WITNESS (Hamm): It appears so.

22 MR. FISHER: Mr. Lynch, sorry, you were  
23 cutting in and out, but in addition to Mr. Hamm's  
24 testimony, Mr. Lavin can also partly answer that  
25 question.

1 THE WITNESS (Lavin): Yeah. Based on  
2 the emitters in the MPE report, there are five  
3 dishes at 120, 130, another 130 and 175 either  
4 current or planned. They operate at 11 gigahertz.  
5 There's one VHF antenna that operates at 159. And  
6 there are six at 110 feet that operate at 800  
7 megahertz.

8 MR. LYNCH: Thank you, Mr. Lavin.

9 Like I said earlier, Mr. Morissette,  
10 the majority of my questions were all answered,  
11 and I'm all set. Thank you.

12 MR. MORISSETTE: Thank you, Mr. Lynch.  
13 We'll now continue with cross-examination by Ms.  
14 Cooley followed by myself.

15 Ms. Cooley.

16 MS. COOLEY: Thank you, Mr. Morissette.  
17 Again, most of my questions have been addressed,  
18 at least in part. I just have a few. I think my  
19 first question is for Mr. Pike. I'd just like a  
20 little more clarification about your  
21 communications with the city about tower sharing.  
22 During those conversations did the cost ever come  
23 up, was the cost of what it would be to either  
24 AT&T or the city or the joint project ever  
25 discussed or did that come up at all in your

1 conversations?

2 THE WITNESS (Pike): We did discuss  
3 costs, but from the standpoint of just from  
4 modifying the existing tower to building a new  
5 tower, it was relatively the same, and they felt  
6 from, you know, a capacity standpoint that to do  
7 another tower is what they really were interested  
8 in doing. That was really their direction.  
9 That's where they were really pushing us to go  
10 forward with.

11 MS. COOLEY: Okay. In those  
12 conversations was the town asked to share the cost  
13 at all?

14 THE WITNESS (Pike): I don't believe  
15 so.

16 MS. COOLEY: Okay. And then I think my  
17 next question may be better addressed to Mr. Hamm  
18 or Mr. Gaudet. I'd like to go back to the back-up  
19 generator. In one of the responses you had said  
20 that potentially a propane generator could be  
21 substituted for a diesel generator. If that is  
22 the case, the sound study was done on the diesel  
23 generator. Is there any difference, would you  
24 anticipate any difference, would a new sound study  
25 need to be done if a propane generator were

1 substituted for that diesel generator?

2 THE WITNESS (Hamm): Propane is  
3 typically not as loud as diesel.

4 MS. COOLEY: I'm sorry, I couldn't get  
5 that. It was a little garbled.

6 THE WITNESS (Hamm): Sorry. Propane is  
7 typically not as loud as diesel.

8 MS. COOLEY: Still not hearing it.

9 THE WITNESS (Hamm): Did I lose my  
10 connection? Can you hear me?

11 MS. COOLEY: Yeah. It's just that one  
12 word keeps getting garbled.

13 THE WITNESS (Hamm): Propane is not  
14 typically as loud as the diesel. I don't have  
15 those numbers though in front of me.

16 MS. COOLEY: Okay. I think that  
17 actually covers all the other questions that I  
18 still had, so thank you for your time.

19 MR. MORISSETTE: Thank you, Ms. Cooley.

20 I have some follow-up questions. And I  
21 thank my fellow Council members for asking the  
22 detailed questions that they have and that have  
23 been very helpful so far.

24 I'd like to start with Mr. Lavin and  
25 following up on Mr. Lynch's questions relating to

1 the equipment on the existing lattice structure.  
2 Mr. Lavin, in your opinion, the equipment that is  
3 currently installed on the municipal Middletown's  
4 tower, does it matter what height those antennas  
5 are installed at?

6 THE WITNESS (Lavin): Yes, it does.  
7 They are licensed for specific heights, microwave,  
8 the VHF and the 800 are all licensed for specific  
9 heights.

10 MR. MORISSETTE: Okay. So  
11 operationally can they theoretically be relicensed  
12 to be reconfigured for different heights?

13 THE WITNESS (Lavin): They can apply  
14 for a new license to replace that. They can also  
15 operate if it's physically necessary but works for  
16 them. They are also allowed to operate below the  
17 height that they are licensed at.

18 MR. MORISSETTE: So it is possible that  
19 those antennas could be reconfigured on a new  
20 structure at a more convenient height and colocate  
21 with the cell providers?

22 THE WITNESS (Lavin): Case by case, but  
23 yes it's possible.

24 MR. MORISSETTE: It's possible, okay.  
25 Just to follow up on the Late-File we asked you

1 for earlier today on how many small cells. Since  
2 there's going to be Late-Files submitted in this  
3 case, you're more than -- you can file that as a  
4 Late-File, there's no rush to do it today.

5 I would like to go to Question 50 in  
6 the interrogatories relating to the 100 AGL  
7 installation of AT&T's antennas. Now, it  
8 appears -- let me know when you're there.

9 THE WITNESS (Lavin): Yes.

10 MR. MORISSETTE: So it appears that  
11 going up to 180 that you have a significant, I'll  
12 use that word significant that's come up a few  
13 times today, a significant, in my terms, increase  
14 in the amount of coverage provided at 180 feet.  
15 Now --

16 THE WITNESS (Lavin): That's detailed  
17 under Question 48 as well exactly what the  
18 difference is.

19 MR. MORISSETTE: Now, does that provide  
20 AT&T with an opportunity to displace other  
21 facilities within the area or any potential for  
22 growth, you know, does it have a benefit, a cost  
23 benefit associated with having that increase?

24 THE WITNESS (Lavin): I haven't studied  
25 it directly, but it's entirely possible that it

1 may reduce the number of facilities needed. It's  
2 certainly in keeping with the Siting Council's  
3 goal of reducing the proliferation of towers, and  
4 I'll never turn down another 30 feet of height,  
5 no.

6 MR. MORISSETTE: Yeah, right. It  
7 certainly seems to have a lot of benefit  
8 associated with the increase in height, and I can  
9 imagine that it would require some study as to  
10 really to understand what the benefit would be as  
11 far as displacing other facilities, but there is a  
12 potential there for some displacement, I would  
13 imagine. So thank you.

14 Well, just for the record, from a  
15 roadways perspective, you have a 48 percent  
16 increase in coverage. That's pretty significant.

17 THE WITNESS (Lavin): Uh-huh. Yeah,  
18 roadways can come in or out very quickly. When  
19 you just move the line a little bit, all of a  
20 sudden you take in a whole row that you didn't  
21 before so --

22 MR. MORISSETTE: Yeah, and even the  
23 area is like 29 percent, that's a pretty good  
24 increase. Okay. Thank you for that.

25 I would like to now for clarification

1 concerning the wetlands analysis that was  
2 performed and the NDDDB analysis that wasn't  
3 performed, I would like to see as a Late-File the  
4 wetland report that I understand has been  
5 developed. I want to make sure if that's  
6 possible. It's not for you, Mr. Lavin. I think  
7 it's for Mr. Gaudet.

8 THE WITNESS (Gaudet): Yes, Mr.  
9 Morissette, we can provide that.

10 MR. MORISSETTE: Thank you. And I  
11 would also like to see an NDDDB analysis performed  
12 for the site as well. Is that something that can  
13 be done relatively quickly?

14 THE WITNESS (Gaudet): Yes, we can turn  
15 that around pretty quickly.

16 MR. MORISSETTE: Great. Thank you.  
17 Okay. I think this is for Mr. Pike or  
18 Mr. Gaudet. Why was the site shifted, was it  
19 because of the wetlands or for another reason?

20 THE WITNESS (Pike): Yes, it was from  
21 the wetlands from that exact location. We wanted  
22 to shift it to kind of avoid any situation with  
23 wetlands, anything that would cause an issue down  
24 the road.

25 MR. MORISSETTE: Okay. Very good. So



1 the original site is totally off the table, we are  
2 concentrating on the alternative site?

3 THE WITNESS (Gaudet): I think, Mr.  
4 Morissette, the wetland obviously is a big factor  
5 there. That's why we moved it. I think it ended  
6 up, the bright spot in the shift and finding the  
7 wetlands was that we can now design a facility  
8 that avoids any additional tree clearing as we  
9 would have seen before with a 50-foot by 50-foot  
10 compound almost entirely within the treeline.

11 MR. MORISSETTE: Okay. And does the  
12 wetlands limit you on further expansion of the  
13 footprint of the site for additional carriers?

14 THE WITNESS (Gaudet): I would say  
15 we're probably as close as we would want to get  
16 with how it's currently proposed with that  
17 compound expansion to the south. That does not  
18 mean you could not move further into, there's a  
19 parking, an existing asphalt area there that's  
20 pretty wide that you could expand into in the  
21 future, obviously assuming that the city was  
22 agreeable to that. It would still allow seemingly  
23 enough access for city services to go in and out  
24 of the property and use it as they have been  
25 currently. But yes, you would not want to expand

1 south, call it south/southwest or into that area  
2 where the original compound was proposed.

3 MR. MORISSETTE: The current compound  
4 is designed for one carrier?

5 THE WITNESS (Gaudet): You're talking  
6 about the compound that currently exists today or  
7 the --

8 MR. MORISSETTE: No, the --

9 THE WITNESS (Gaudet): The expansion.

10 MR. MORISSETTE: The alternative  
11 compound.

12 THE WITNESS (Gaudet): So this expanded  
13 compound, as you can see, now as opposed to having  
14 the additional carriers all within that new 50 by  
15 50 compound, is utilizing the ground space that  
16 currently exists in that larger, I don't have the  
17 dimensions of the existing lattice tower compound,  
18 but it's designed to, you can see at least three  
19 carriers will fit within the ground space there.

20 MR. MORISSETTE: Okay. So you've  
21 accommodated for up to four carriers in the  
22 compound?

23 THE WITNESS (Gaudet): Yes, so three  
24 carriers, AT&T, two future carriers, and the  
25 existing city shelter that stands currently for

1 the lattice tower.

2 MR. MORISSETTE: Very good. Thank you.  
3 Okay. I'd like to turn to the response to  
4 interrogatories, I think it's attachment 2, the  
5 structural analysis calculation, page 4. I think  
6 this is Mr. Hamm. I have some questions relating  
7 to the structural analysis.

8 Mr. Hamm, I understand that based on  
9 your testimony so far that at this point you don't  
10 know whether the city's equipment and lattice  
11 structure can support itself at this point; is  
12 that correct?

13 THE WITNESS (Hamm): We have not run an  
14 analysis for that.

15 MR. MORISSETTE: So we don't know that  
16 --

17 THE WITNESS (Hamm): My opinion is it's  
18 adequate to support itself.

19 MR. MORISSETTE: Okay. So the analysis  
20 basically says the 252.3 percent loading on the  
21 structure with AT&T's equipment on it, so that  
22 clearly is way out of whack, basically, you know,  
23 maximum stress is at that level. Now, that's just  
24 for AT&T's equipment only. It doesn't include  
25 analysis for additional equipment or other

1 carriers, correct?

2 THE WITNESS (Hamm): Correct.

3 MR. MORISSETTE: All right. So in your  
4 opinion, the 252, if you add another carrier on  
5 it, does that go to 352, is it linear in that  
6 fashion, or is there another way to look at it?

7 THE WITNESS (Hamm): It's not linear by  
8 any means. It all depends on the elevation they  
9 go at and then the reinforcing that we'll have to  
10 do. So one thing that should be known about the  
11 structurals is they only tell you what's failing,  
12 but they don't tell you exactly how to beef up the  
13 whole tower. So as you start beefing up, this is  
14 one of the top, one of the middle sections --

15 MR. MORISSETTE: Right.

16 THE WITNESS (Hamm): -- you may end up  
17 pushing other upgrades and other, a few things  
18 down further.

19 MR. MORISSETTE: Okay. So I think it  
20 was 300K that you mentioned earlier to beef up the  
21 tower, it was 300,000, 350,000, something like  
22 that, and that's only for one carrier?

23 THE WITNESS (Hamm): Correct.

24 MR. MORISSETTE: So if you were to add  
25 two to three carriers, I mean, I would imagine

1 you'd basically be rebuilding it and putting up a  
2 new structure.

3 THE WITNESS (Hamm): I would think so.

4 MR. MORISSETTE: So 300K. Now, a new  
5 lattice structure you said was in the 600,000  
6 range, did I understand that right?

7 THE WITNESS (Hamm): It's probably  
8 about 50 percent more than a monopole, the steel  
9 itself.

10 MR. MORISSETTE: So you're at 450,000,  
11 so you're at 650,000?

12 THE WITNESS (Hamm): Probably.

13 MR. MORISSETTE: Probably and --

14 THE WITNESS (Hamm): I'd have to run  
15 true numbers to tell you the exact numbers.

16 MR. MORISSETTE: But if you went with a  
17 lattice structure, you could go up to 180 feet,  
18 accommodate four carriers no problem plus the city  
19 no problem, but you're going to incur  
20 approximately 250,000 to 300,000 more in  
21 additional costs?

22 THE WITNESS (Hamm): Right, and create  
23 a much larger profile.

24 MR. MORISSETTE: A much larger profile.

25 THE WITNESS (Gaudet): Mr.

1 Morissette --

2 THE WITNESS (Hamm): These towers, you  
3 know, these towers that the city has are really  
4 only meant for whips and microwaves. They're not  
5 meant for any kind of cell carrier.

6 MR. MORISSETTE: Okay. Mr. Gaudet, you  
7 had something to add?

8 THE WITNESS (Gaudet): Yeah, I just  
9 wanted to add too that that cost, that increased  
10 cost is not accounting for the decommissioning and  
11 labor and work that goes into removing that  
12 existing tower as well.

13 MR. MORISSETTE: Right.

14 THE WITNESS (Gaudet): So building the  
15 new one you've got that, but then probably a  
16 couple hundred thousand dollars in construction  
17 costs and decommissioning as well.

18 MR. MORISSETTE: Yeah, good point. So  
19 you think it's 100,000 or 200,000 to decommission  
20 and cut it over and --

21 THE WITNESS (Gaudet): I think that's a  
22 good guess.

23 MR. MORISSETTE: Okay. Let's see what  
24 else I've got here. The analysis didn't even  
25 touch on the foundations. They basically punted

1 on that. And it's highly likely that that  
2 foundation may not even support the addition of  
3 the AT&T tower, AT&T facilities, never mind  
4 anything else. So would you agree with that, Mr.  
5 Hamm?

6 THE WITNESS (Hamm): Yes.

7 MR. MORISSETTE: Okay. Just give me  
8 one second here. Okay. That pretty much wraps it  
9 up for me. I think that concludes our  
10 cross-examination. I'll just run through to see  
11 if anybody else has any follow-up questions just  
12 quickly.

13 Mr. Perrone, do you have any follow-up  
14 questions?

15 MR. PERRONE: No, I don't. Thank you.

16 MR. MORISSETTE: Thank you. Mr.  
17 Edelson, any follow-up questions?

18 MR. EDELSON: No, thank you.

19 MR. MORISSETTE: Mr. Silvestri, any  
20 follow-up questions?

21 MR. SILVESTRI: Not at this time, Mr.  
22 Morissette, but I will with the Late-Files that  
23 will be coming in. Thank you.

24 MR. MORISSETTE: Thank you, Mr.  
25 Silvestri.

1                   Mr. Nguyen, any follow-up?  
2                   MR. NGUYEN: No. No, thank you.  
3                   MR. MORISSETTE: Thank you. Mr. Lynch,  
4 any follow-up?  
5                   MR. LYNCH: I do not.  
6                   MR. MORISSETTE: Thank you, Mr. Lynch.  
7                   Ms. Cooley, any follow-up?  
8                   MS. COOLEY: Thank you, Mr. Morissette.  
9 Not at this time. Thanks.  
10                  MR. MORISSETTE: Thank you, Ms. Cooley.  
11                  Okay. I think we're all set. That  
12 will conclude our cross-examination. The Council  
13 will recess until 6:30 p.m., at which time we will  
14 commence with the public comment session of this  
15 remote public hearing. Thank you, everyone, and  
16 have a good evening.  
17                  (Whereupon, the witnesses were excused  
18 and the hearing adjourned at 4:17 p.m.)  
19  
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23  
24  
25



1 CERTIFICATE FOR REMOTE HEARING

2  
3 I hereby certify that the foregoing 96 pages  
4 are a complete and accurate computer-aided  
5 transcription of my original stenotype notes taken  
6 before the Connecticut Siting Council of the  
7 REMOTE PUBLIC HEARING IN RE: DOCKET NO. 506, NEW  
8 CINGULAR WIRELESS PCS, LLC (AT&T) APPLICATION FOR  
9 A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND  
10 PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE, AND  
11 OPERATION OF A TELECOMMUNICATIONS FACILITY LOCATED  
12 AT 499 MILE LANE, MIDDLETOWN, CONNECTICUT, which  
13 was held before JOHN MORISSETTE, PRESIDING  
14 OFFICER, on November 30, 2021.

15  
16  
17  
18 ----- Lisa Warner -----  
19 Lisa L. Warner, CSR 061  
20 Court Reporter  
21  
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1 I N D E X

2  
3 COUNCIL'S ADMINISTRATIVE NOTICE ITEMS  
4 I-B-1 THROUGH I-B-82: RECEIVED IN EVIDENCE ON  
5 PAGE 7

6 WITNESSES: (Sworn on page 8)

7 SCOTT PIKE  
8 BRIAN GAUDET  
9 DANIEL HAMM  
10 MARTIN LAVIN

11 EXAMINERS:

12 Mr. Fisher (Direct)

PAGE

9

13 Mr. Perrone (Start of cross)

11

14 Mr. Edelson

30

15 Mr. Silvestri

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16 Mr. Nguyen

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17 Mr. Lynch

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18 Ms. Cooley

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19 Mr. Morissette

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

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3 APPLICANT'S EXHIBITS  
4 (Received in evidence)

EXHIBIT	DESCRIPTION	PAGE
5 II-B-1	Application for a Certificate of 6 Environmental Compatibility and Public 7 Need, filed by New Cingular Wireless PCS, LLC (AT&T) and attachments, received October 6, 2021	11
8 II-B-2	Applicant's Affidavit of 9 Publication and Certification of 10 Service of Notice, dated October 19, 2021	11
11 II-B-3	Applicant's affidavit of sign posting, dated November 22, 2021	11
12 II-B-4	Applicant's responses to 13 Council interrogatories, Set One, and attachments, dated 14 November 23, 2021	11
	15 a. Tower Structural Calculations, dated January 7, 2019	
	16 b. Redacted Option and Land Lease Agreement	
17 II-B-5	Applicant's Pre-Hearing 18 submission/witness resumes, dated November 23, 2021	11

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20 \*All exhibits were retained by the Council.  
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