



## City of Middletown

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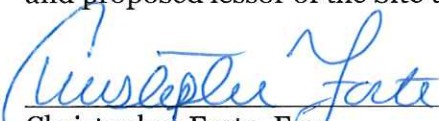
TO: STATE OF CONNECTICUT, CONNECTICUT SITING COUNCIL

IN RE:

NEW CINGULAR WIRELESS PCS, LLC (AT&T)  
INSTALLATION OF A SECOND WIRELESS  
TELECOMMUNICATIONS TOWER AT A CITY  
OWNED PROPERTY/TOWER SITE FACILITY  
LOCATED AT 499 MILE LANE, MIDDLETOWN  
SITING COUNCIL CERTIFICATE APPLICATION

### ACKNOWLEDGMENT

On September 30, 2021, New Cingular Wireless PCS LLC (“AT&T”) filed a tower site sharing request and petitioned the Connecticut Siting Council (the “Council”) for regulatory approval to modify and add a second tower at an existing municipal communications tower site located on property owned by the City of Middletown located at 499 Mile Lane, Middletown, Connecticut (the “Existing Facility” or the “Site”). In response to legal notices, an interest has been expressed by residents in the vicinity of the Existing Facility to the Siting Council in participating in the State agency’s regulatory review of AT&T’s project. The City has therefore requested AT&T to procedurally consider converting its petition into a certificate application which would become a contested case under the Uniform Administrative Procedures Act to ensure the fullest opportunity for residents to be heard at the Siting Council and that a public hearing will be held by the Siting Council considering their comments and concerns. AT&T has consented to the City’s request in furtherance of the City’s jurisdiction as the owner and proposed lessor of the Site to AT&T. To facilitate such a procedural conversion before the Siting Council, the City notes that the City of Middletown Planning & Zoning Commission conducted a review as required by C.G.S. Section 8-24 for any improvements of municipal land, the project was reviewed by various City agencies and a proposed form of lease approved by the City’s Common Council. Such City reviews and consideration took place over a period of time exceeding 90 days in duration. As such, the City hereby acknowledges that the technical consultation typically required by Section 16-50l(e) for towers on private property was undertaken as part of the City’s lease reviews and that the Siting Council has regulatory jurisdiction to consider AT&T’s project and request to convert the petition into a certificate application. Nothing herein shall be deemed a waiver of the City’s rights as owner and proposed lessor of the Site to AT&T which are expressly reserved.

  
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Christopher Forte, Esq.  
On Behalf of the City of Middletown