

STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

IN RE:

APPLICATION OF HOMELAND TOWERS, LLC AND  
NEW CINGULAR WIRELESS PCS, LLC d/b/a AT&T FOR  
A CERTIFICATE OF ENVIRONMENTAL  
COMPATIBILITY AND PUBLIC NEED FOR THE  
CONSTRUCTION, MAINTENANCE, AND OPERATION  
OF A TELECOMMUNICATIONS FACILITY AT  
1837 PONUS RIDGE ROAD,  
TOWN OF NEW CANAAN, CONNECTICUT

DOCKET NO. 509

September 6, 2022

**APPLICANTS' RESPONSE TO PARTY/INTERVENOR NEW CANAAN NEIGHBORS  
("NCN") MOTION TO STRIKE PORTIONS OF THE PUBLIC RECORD**

Applicants, Homeland Towers, LLC and New Cingular Wireless PCS LLC ("AT&T"), hereby submit this response to the August 31, 2022 Motion to Strike by New Canaan Neighbors ("NCN") as an intervenor in this proceeding ("Motion"). As set forth below, the Motion should be denied as the Applicants' witness Eric Fine, Town of New Canaan Wireless Consultant, can address the Town's public safety needs. In addition, accommodation of the Town's emergency communications equipment avoids the unnecessary proliferation of towers.

The Town of New Canaan's use of the facility proposed in this Docket for emergency communications supports the public need for the Proposed Facility. Indeed, the Town's emergency services needs are not determinative as to finding a "public need" as set forth in the Connecticut General Statutes ("C.G.S.") §16-50p(b)(1). "[T]he Siting Council does not have jurisdiction over public safety equipment." See August 16, 2022 Continued Evidentiary Hearing Transcript, p.113 quoting Council Member Morissette. While the Siting Council does not have jurisdiction over the Town's actual equipment, the Council must consider the public safety benefits associated with the Proposed Facility when determining public need. C.G.S. §16-50aa.

As an initial matter, despite NCN's assertion that the Town is not available for cross examination, the Applicants have included Eric Fine, the Town of New Canaan's wireless consultant, on their witness panel at every evidentiary hearing in these proceedings. Mr. Fine has been, and will continue to be, available for questions regarding the Town's emergency communications equipment needs and shared use of the Proposed Facility in this Docket.

The application, expert witness testimony and supplemental materials in this Docket establish the public safety benefits associated with the Proposed Facility, thereby demonstrating need. As acknowledged in the letters of support from the Town's public safety officials, the Facility will significantly improve the safety of the New Canaan residents, people traveling through the Town and greatly enhance the Town's emergency responders' ability to provide continuous emergency

services to the community. This information should be considered by the Council and not stricken from these proceedings.

The Applicants' RF report (Application Attachment 1) identifies a significant gap in reliable service in the northwest area of New Canaan and the Proposed Facility will provide coverage in that service gap. This deficiency is further acknowledged in the Town of New Canaan's 2014 Comprehensive Plan, which labels a large area in the northwestern section of the Town as a "Cellular Communication Priority Area." See New Canaan 2014 Comprehensive Plan included in the Application Bulk Filing.

The letters of support from the Town's public safety officials and the testimony of Eric Fine, the Town's wireless consultant, demonstrate that the residents and first responders of New Canaan rely heavily on cellular service in times of an emergency and 9-1-1 calls cannot be made without dependable cellular services.

Indeed, up to 80% of all 9-1-1 calls made each year come from wireless devices. See Application Narrative, p.8. The Proposed Facility will help public safety dispatchers from the Town identify 9-1-1 wireless callers' geographical locations to enable faster delivery of emergency care.

Additionally, the Proposed Facility will support Text-to-911, a program that allows users to send text messages to emergency services as an alternative to placing a phone call. See Application Narrative, p.8-9. Moreover, AT&T will also deploy FirstNet services from this facility. FirstNet services at the Proposed Facility will provide prioritized, preemptive wireless services for first responders in the northwestern area of New Canaan. More details on the public safety benefits of the Proposed Facility are fully discussed on pages 10-11 of the Application Narrative.

Therefore, the Application materials, testimony and supplemental filings regarding the public safety benefits of the Proposed Facility demonstrate need and should not be stricken from the record.

Further, constructing a tower at a height and location that serves the Town's needs is wholly consistent with the legislative findings outlined in C.G.S. Sections 16-50g and 16-50aa that seek to avoid the unnecessary proliferation of towers in the State. The testimony of Eric Fine, Application materials and letters of support from Town public safety officials demonstrate that the Town is in need of a new location for its emergency communications equipment in northwestern New Canaan. If the Proposed Facility is not designed to accommodate the Town's equipment, an additional tower facility will need to be constructed in this area of the Town.

For the reasons set forth above, we submit the Motion is without merit and should be denied.

Respectfully submitted

A handwritten signature in blue ink, appearing to be "Kristen Motel" followed by a flourish.

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**CERTIFICATE OF SERVICE**

I hereby certify that on this day the foregoing was sent electronically and one (1) original was sent overnight mail to the Connecticut Siting Council and sent electronically to the parties on the service list as noted below.

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