



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051
Phone: (860) 827-2935 Fax: (860) 827-2950
E-Mail: siting.council@ct.gov
Web Site: portal.ct.gov/csc

Hearing Program
Docket No. 510
Tuesday, August 9, 2022
2:00 p.m./6:30 p.m.
Zoom Remote Public Hearing

I. Opening by Council

A. Statement read by Presiding Officer.

B. Motions

1. Applicants' Motion for Protective Order, dated August 1, 2022

C. Administrative Notice taken by Council

FEDERAL

1. FEDERAL COMMUNICATIONS COMMISSION, OFFICE OF ENGINEERING AND TECHNOLOGY, *Questions and Answers About Biological Effects and Potential Hazards of Radiofrequency Electromagnetic Fields, OET Bulletin No. 56, August 1999, available at https://transition.fcc.gov/Bureaus/Engineering_Technology/Documents/bulletins/oet56/oet56e4.pdf*
2. FEDERAL COMMUNICATIONS COMMISSION, OFFICE OF ENGINEERING AND TECHNOLOGY, *Evaluating Compliance with FCC-Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields, OET Bulletin No. 65, August 1997, available at https://transition.fcc.gov/Bureaus/Engineering_Technology/Documents/bulletins/oet65/oet65.pdf*
3. FEDERAL COMMUNICATIONS COMMISSION, *Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation Report and Order, August 1, 1996, available at https://transition.fcc.gov/Bureaus/Engineering_Technology/Orders/1996/fcc96326.pdf*
4. Telecommunications Act of 1996, as amended, Pub. L. No. 104-104, 110 Stat. 56 (codified as amended in scattered sections of 47 U.S.C), *available at <https://transition.fcc.gov/Reports/tcom1996.pdf>*
5. FEDERAL COMMUNICATIONS COMMISSION, *Warning, Alert and Response Network Act, Pub. L. No. 109-437, 120 Stat. 1936 (2006), (codified at 47 U.S.C. §332(d)(1)) (2006), available at <https://transition.fcc.gov/pshs/docs/emergency-information/cmas-warn-act.pdf>*
6. Wireless Communications and Public Safety Act of 1999, as amended, 47 U.S.C. §§ 615-615b, as amended, *available at <https://www.congress.gov/bill/106th-congress/house-bill/438/text/ih>*.
7. Enhance 911 Act of 2004, as amended, 47 U.S.C. § 942, as amended, *available at <https://www.gpo.gov/fdsys/pkg/PLAW-108publ494/pdf/PLAW-108publ494.pdf>*

8. Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, §6409 Wireless Facilities Deployment 2012, *available at* <https://www.gpo.gov/fdsys/pkg/PLAW-112pub196/pdf/PLAW-112pub196.pdf>
9. Actions That May Have a Significant Environmental Effect, for Which Environmental Assessments (EAs) Must be Prepared, 47 C.F.R. § 1.1307, as amended, *available at*. <https://www.gpo.gov/fdsys/pkg/CFR-2013-title47-vol1/pdf/CFR-2013-title47-vol1-sec1-1307.pdf>
10. Radiofrequency Radiation Exposure Limits, 47 C.F.R. § 1.1310, as amended, *available at* <https://www.gpo.gov/fdsys/pkg/CFR-2002-title47-vol1/pdf/CFR-2002-title47-vol1-sec1-1310.pdf>
11. Presidential Proclamation No. 8460, 74 Fed. Reg. 234 (December 8, 2009), *available at* <http://www.presidency.ucsb.edu/ws/index.php?pid=86954>
12. Presidential Order No. 13616, Accelerating Broadband Infrastructure Development, 77 Fed. Reg. 119 (June 14, 2012), *available at* <http://www.gpo.gov/fdsys/pkg/FR-2012-06-20/pdf/2012-15183.pdf>
13. Presidential Policy Directive No. 21, Critical Infrastructure Security and Resilience, February 12, 2013, *available at* <https://obamawhitehouse.archives.gov/the-press-office/2013/02/12/presidential-policy-directive-critical-infrastructure-security-and-resil>
14. DIVISION OF MIGRATORY BIRD MANAGEMENT, UNITED STATES FISH & WILDLIFE SERVICE, UNITED STATES DEPARTMENT OF THE INTERIOR, *Recommended Best Practices for Communication Tower Design, Siting, Construction, Operation, Maintenance and Decommissioning*, last updated March 2021, *available at* <https://www.fws.gov/sites/default/files/documents/usfws-communication-tower-guidance.pdf>
15. National Park Service, United States Department of the Interior, *National Register of Historic Places* *available at* <https://www.nps.gov/subjects/nationalregister/index.htm>
16. FEDERAL AVIATION ADMINISTRATION, *Obstruction Marking and Lighting, Advisory Circular AC No. 70/7460-1L*, December 4, 2015, *available at* https://www.faa.gov/documentLibrary/media/Advisory_Circular/AC_70_7460-1L_.pdf
17. FEDERAL AVIATION ADMINISTRATION, *Specification for Obstruction Lighting Equipment, Advisory Circular AC No. 150/5345-43J*, March 11, 2019, *available at* https://www.faa.gov/documentLibrary/media/Advisory_Circular/150-5345-43J.pdf
18. FEDERAL COMMUNICATIONS COMMISSION, *Opportunities to Reduce Bird Collisions with Communications Towers While Reducing Tower Lighting Costs*, January 6, 2017, *available at* <https://www.fws.gov/migratorybirds/pdf/management/fccopportunitiestoreducebirdcollisions.pdf>
19. Stephen J. Blumberg, et al, *Wireless Substitution: Early Release of Estimates from the National Health Interview Survey, July – December 2020*, Division of Health Interview Statistics, National Center for Health Statistics, U.S. Center of Disease Control, August 2021, *available at* <https://www.cdc.gov/nchs/data/nhis/earlyrelease/wireless202108-508.pdf>
20. FEDERAL COMMUNICATIONS COMMISSION, *Public Notice – Wireless Telecommunications Bureau Offers Guidance on Interpretation of Section 6409(a) of the Middle Class Tax Relief and Job*

Creation Act of 2012, DA 12-2407, January 25, 2013, available at https://apps.fcc.gov/edocs_public/attachmatch/DA-12-2047A1.pdf

21. FEDERAL COMMUNICATIONS COMMISSION, *Connecting America: The National Broadband Plan*, 2010, available at <http://www.broadband.gov/plan/>
22. FEDERAL COMMUNICATIONS COMMISSION, *Text-to-911: Quick Facts & FAQs*, June 2013, available at <http://www.fcc.gov/guides/text-911-quick-facts-faqs>.
23. FEDERAL COMMUNICATIONS COMMISSION, *Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies*, et al, *Wireless Infrastructure Report and Order*, FCC 14-153, October 21, 2014, available at <http://www.fcc.gov/document/wireless-infrastructure-report-and-order>
24. FEDERAL COMMUNICATIONS COMMISSION, *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, *Second Report and Order*, FCC 18-30, March 30, 2018, available at <https://docs.fcc.gov/public/attachments/FCC-18-30A1.pdf>
25. FEDERAL COMMUNICATIONS COMMISSION, *Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment/Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, *Third Report and Order and Declaratory Ruling*, FCC 18-111, August 3, 2018, available at <https://docs.fcc.gov/public/attachments/FCC-18-111A1.pdf>
26. FEDERAL COMMUNICATIONS COMMISSION, *FCC Fact Sheet: Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment; Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment*, *Third Report and Order*, FCC 18-133, September 27, 2018, available at <https://docs.fcc.gov/public/attachments/DOC-353962A1.pdf>
27. FEDERAL COMMUNICATIONS COMMISSION, *Implementation of State and Local Governments' Obligation to Approve Certain Wireless Facility Modification Requests Under Section 6409(a) of the Spectrum Act of 2012*, *Declaratory Ruling and Notice of Proposed Rulemaking*, FCC 20-75, June 10, 2020, available at <https://ecfsapi.fcc.gov/file/0610971105336/FCC-20-75A1.pdf>
28. FEDERAL COMMUNICATIONS COMMISSION, *Implementation of State and Local Governments' Obligation to Approve Certain Wireless Facility Modification Requests Under Section 6409(a) of the Spectrum Act of 2012*, *Report and Order*, FCC 20-153, November 3, 2020, available at <https://docs.fcc.gov/public/attachments/FCC-20-153A1.pdf>
29. UNITED STATES DEPARTMENT OF AGRICULTURE, *Soil Survey Manual, Handbook No. 18*, March 2017, available at https://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/soils/ref/?cid=nrcs142p2_054262

STATE

Connecticut Siting Council

30. STATE OF CONNECTICUT SITING COUNCIL, *Statewide Plan for Wireless Telecommunications Coverage*, Revised October 2018, available at <https://portal.ct.gov/-/media/CSC/Publications/2018TELCOMPLANFINALpdf.pdf>
31. STATE OF CONNECTICUT SITING COUNCIL, *Telecommunications Facilities: An Illustrated Primer on the Siting of Facilities Within Connecticut and Throughout the Nation, Version II*, available at <https://portal.ct.gov/-/media/CSC/CSCtower307pdf.pdf>
32. STATE OF CONNECTICUT SITING COUNCIL, *Statewide Telecommunications Coverage Database*, available at <https://portal.ct.gov/CSC/Common-Elements/Common-Elements/Connecticut-Siting-Council--Disclaimer>
33. **DOCKET NO. 432** – Feasibility study of back-up power requirements for telecommunications towers and antennas pursuant to Public Act 12-148, available at https://portal.ct.gov/CSC/1_Applications-and-Other-Pending-Matters/Applications/3_DocketNos400s/Docket-No-432

Department of Energy and Environmental Protection

34. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, CONNECTICUT COUNCIL ON SOIL AND WATER CONSERVATION, *Connecticut Guidelines for Soil Erosion and Sediment Control, DEP Bulletin 34*, last revised November 2007, available at <https://portal.ct.gov/DEEP/Water/Soil-Erosion-and-Sediment-Control-Guidelines/Guidelines-for-Soil-Erosion-and-Sediment-Control>
35. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *The Connecticut Stormwater Quality Manual*, 2004 and appendices, available at http://www.ct.gov/deep/cwp/view.asp?a=2721&q=325704&depNav_GID=1654
36. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, BUREAU OF WATER PROTECTION AND LAND REUSE, PLANNING AND STANDARDS DIVISION, *Water Quality Standards*, Effective October 10, 2013, available at <https://portal.ct.gov/DEEP/Water/Water-Quality/Water-Quality-Standards-and-Classification>
37. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Connecticut Air Quality Standards*, Effective April 15, 2014, Regulations of Connecticut State Agencies §§ 22a-174-24, et seq.
38. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Connecticut Noise Control Regulations*, Effective June 15, 1978, Regulations of Connecticut State Agencies §§22a-69-1, et seq.
39. STATE OF CONNECTICUT, DEPT. OF PUBLIC UTILITY CONTROL, Docket No. 08-06-19, DPUC Investigation into the Deployment of Distributed Antenna System (DAS) in the Public Rights of Way, September 29, 2010.

40. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, BUREAU OF NATURAL RESOURCES, Connecticut's Endangered, Threatened and Special Concern Species 2015, August 2015, available at https://portal.ct.gov/-/media/DEEP/wildlife/pdf_files/nongame/ETS15pdf.pdf
41. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, BUREAU OF NATURAL RESOURCES, *Connecticut's Wildlife Action Plan*, 2015 Revision, available at http://www.ct.gov/deep/cwp/view.asp?a=2723&q=329520&deepNav_GID=1719#Review
42. PUBLIC UTILITIES REGULATORY AUTHORITY, *Connecticut Public Utilities Cybersecurity Action Plan*, April 6, 2016, available at <https://portal.ct.gov/-/media/DAS/BEST/Security-Services/Connecticut-Public-Utilities-Cybersecurity-Action-Plan-April-6-2016.pdf?la=en>
43. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, BUREAU OF WATER MANAGEMENT, WETLANDS MANAGEMENT SECTION, *Guidelines: Upland Review Area Regulations, Connecticut's Inland Wetlands and Watercourses Act*, June 1997, available at <https://portal.ct.gov/-/media/DEEP/water/wetlands/uplandreviewdocumentjune1997PDF.PDF?la=en>
44. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Long Island Sound Blue Plan*, September 2019, available at <https://portal.ct.gov/DEEP/Coastal-Resources/LIS-Blue-Plan/Long-Island-Sound-Blue-Plan-Home>

Department of Transportation

45. STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION, *ConnDOT Drainage Manual* 2000, last revised July 2016, available at <https://portal.ct.gov/DOT/Hydraulics-and-Drainage/Drainage-Manual>
46. STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION, *Policy Statement for Telecommunications Installations Within the State Highway Right of Way*, Policy No. E&H.O. – 53, August 7, 2006, available at https://portal.ct.gov/lib/csc/row_ps.pdf

Other State Agencies

47. STATE OF CONNECTICUT OFFICE OF POLICY AND MANAGEMENT, *Conservation and Development Policies Plan for Connecticut 2018-2023*, May 4, 2022 available at <https://portal.ct.gov/OPM/IGPP/ORG/Conservation-and-Development-Policies-Plan/Conservation-and-Development-Policies-Plan>
48. STATE OF CONNECTICUT DEPARTMENT OF PUBLIC HEALTH, *Environmental and Occupational Health Assessment, Radiation – Cell Phone Towers – Questions and Answers about Health*, May 2015, available at https://portal.ct.gov/-/media/Departments-and-Agencies/DPH/dph/environmental_health/eoha/pdf/051115CellPhoneTowerFINALpdf.pdf
49. STATE OF CONNECTICUT DEPARTMENT OF PUBLIC HEALTH, *Cell Phones – Questions and Answers about Safety*, May 2015, available at https://portal.ct.gov/-/media/Departments-and-Agencies/DPH/dph/environmental_health/eoha/pdf/080415CellPhoneshealthmay2015FINALpdf.pdf?la=en

50. STATE OF CONNECTICUT, STATE VEGETATION MANAGEMENT TASK FORCE, *Final Report Issued to the Connecticut Department of Energy and Environmental Protection*, August 28, 2012, available at https://portal.ct.gov/-/media/DEEP/forestry/VMTF/Final_Report/SVMTFFinalReportpdf.pdf
51. Final Report of the Two Storm Panel, January 9, 2012, available at http://www.governor.ct.gov/malloy/lib/malloy/two_storm_panel_final_report.pdf
52. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION AND DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION, *2019 Connecticut Natural Hazards Mitigation Plan Update*, January 2019, available at <https://portal.ct.gov/-/media/DEMHS/docs/Plans-and-Publications/EHSP0023--NaturalHazardMitPlan.pdf>
53. GOVERNOR'S STEERING COMMITTEE ON CLIMATE CHANGE, ADAPTATION SUBCOMMITTEE, Connecticut Climate Change Preparedness Plan, Adaptation Strategies for Agriculture, Infrastructure, Natural Resources and Public Health Climate Change Vulnerabilities, 2011, available at <https://portal.ct.gov/-/media/DEEP/climatechange/ConnecticutClimatePreparednessPlan2011pdf.pdf?la=en>
54. CONNECTICUT DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION, *CT Text to 911*, 2018, available at <https://www.text911ct.org/>
55. STATE OF CONNECTICUT, PUBLIC ACT NO. 22-3, April 28, 2022, available at <https://www.cga.ct.gov/2022/ACT/PA/PDF/2022PA-00003-R00HB-05269-PA.PDF>

TECHNICAL

56. INSTITUTE OF ELECTRICAL AND ELECTRONICS ENGINEERS, *IEEE Standard for Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz*, IEEE Std. C95.1-2019, October 4, 2019, available at https://standards.ieee.org/standard/C95_1-2019.html
57. INTERNATIONAL COMMISSION ON NON-IONIZING RADIATION PROTECTION, *Guidelines for Limiting Exposure to Electromagnetic Fields (100 kHz to 300 GHz)*, March 2020, available at <https://www.icnirp.org/cms/upload/publications/ICNIRPrfgdl2020.pdf>
58. TELECOMMUNICATIONS INDUSTRY ASSOCIATION & ELECTRONICS INDUSTRIES ASSOCIATION, *Structural Standards for Steel Antenna Towers and Antenna Supporting Structures*, TIA/EIA-222-G (2006), available at https://global.ihs.com/search_res.cfm?RID=TIA&INPUT_DOC_NUMBER=TIA-222
59. TELECOMMUNICATIONS INDUSTRY ASSOCIATION, *Structural Standards for Antenna Supporting Structures, Antennas and Small Wind Turbine Support Structures*, TIA-222-H, effective January 1, 2018, available at https://global.ihs.com/search_res.cfm?RID=TIA&INPUT_DOC_NUMBER=TIA-222%20
60. Letter from John R. Morissette, Manager of Transmission Siting and Permitting, The Connecticut Light and Power Company, to Christopher B. Fisher, Esq., Attorney, Cuddy & Feder, LLP regarding CL&P policy on the installation of cellular and PCS antennas on electric transmission

structures, February 19, 2010, available at https://portal.ct.gov/-/media/CSC/1_Dockets-medialibrary/Docket_388/do38820100312SupplementalSubmissionpdf.pdf

61. HEALTH PROTECTION AGENCY, *Health Effects From Radiofrequency Magnetic Fields, Report of the Independent Advisory Group on Non-Ionising Radiation*, April 2012, available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/333080/RCE-20_Health_Effects_RF_Electromagnetic_fields.pdf
62. CISCO SYSTEMS, INC., *Cisco Annual Internet Report (2018-2023) White Paper*, updated March 9, 2020, available at, <https://www.cisco.com/c/en/us/solutions/collateral/service-provider/visual-networking-index-vni/white-paper-c11-741490.html>

ENVIRONMENTAL

63. RICHARD M. DEGRAAF & DEBORAH D. RUDIS, *New England Wildlife: Habitat, Natural History, and Distribution*, University of Massachusetts Press 1983, available at <http://www.treearch.fs.fed.us/pubs/4148>
64. UNITED STATES ARMY CORPS OF ENGINEERS, NEW ENGLAND DISTRICT, *Vernal Pool Best Management Practices*, January 2015, available at <https://www.nae.usace.army.mil/Portals/74/docs/regulatory/VernalPools/VPBMPsJan2015.pdf>
65. Christopher Barton and Karen Kinkead, *Do Erosion Control and Snakes Mesh?*, Journal of Science and Water Conservation 2005, Volume 60, Number 2, available at <http://www.treearch.fs.fed.us/pubs/21050>
66. UNITED STATES ARMY CORPS OF ENGINEERS, NEW ENGLAND DISTRICT, *The Highway Methodology Workbook*, October 1993, available at <http://www.nae.usace.army.mil/Portals/74/docs/regulatory/Forms/HighwayMethodBook.pdf>
67. UNITED STATES ARMY CORPS OF ENGINEERS, NEW ENGLAND DISTRICT, *The Highway Methodology Workbook Supplement, Wetland Functions and Values*, September 1999, available at <http://www.nae.usace.army.mil/Portals/74/docs/regulatory/Forms/HighwaySupplement6Apr2015.pdf>
68. UNITED STATES ARMY CORPS OF ENGINEERS, *Regional Supplement to the Corps of Engineers Wetland Delineation Manual, Northcentral and Northeast Region*, January 2012, available at: https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1046787.pdf
69. UNITED STATES ARMY CORPS OF ENGINEERS, *Regional Permits for the State of Connecticut*, Effective Date December 15, 2021, Expiration Date December 15, 2026, available at: https://portal.ct.gov/-/media/DEEP/Permits_and_Licenses/Land_Use_Permits/LWRD/USACEctGeneralPermit2021.pdf
70. STATE OF CONNECTICUT, DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, INLAND FISHERIES DIVISION, *Habitat Conservation and Enhancement Program, Stream Crossing Guidelines*, February 26, 2008, available at <https://portal.ct.gov/-/media/DEEP/fishing/restoration/StreamCrossingGuidelinespdf.pdf?la=en>

MAPS

71. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Natural Diversity Database Map for the Town of Westport*, (last updated December 2021), available at <http://www.depdata.ct.gov/naturalresources/endangeredspecies/nddbpdfs.asp>
 72. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Aquifer Protection Area Maps*, last updated January 23, 2020, available at <http://www.ct.gov/deep/cwp/view.asp?a=2685&q=322248>
 73. STATE OF CONNECTICUT DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION, *Northern long-eared bat areas of concern in Connecticut to assist with Federal Endangered Species Act Compliance*, last updated March 6, 2019, available at https://portal.ct.gov/-/media/DEEP/endangered_species/images/nlebmappdf.pdf?la=en
 74. UNIVERSITY OF CONNECTICUT, CONNECTICUT ENVIRONMENTAL CONDITIONS ONLINE, *Connecticut Critical Habitats and Open Space*, last updated November 28, 2012, available at <http://cteco.maps.arcgis.com/home/item.html?id=a1bf59798c5b45a98aeab97dafd60b9>
 75. CONNECTICUT FOREST & PARK ASSOCIATION, BLUE-BLAZED HIKING TRAILS INTERACTIVE MAP, available at <https://www.ctwoodlands.org/blue-blazed-hiking-trails/blue-blazed-hiking-trails-interactive-map>
 76. NATIONAL AUDUBON SOCIETY, *Connecticut Important Bird Areas*, available at <http://netapp.audubon.org/iba/state/US-CT>
 77. Mail-A-Map Street Map, Westport, available at <http://mailamap.com/street-maps>
 78. UNITED STATES GEOLOGICAL SURVEY, Interactive Topographical Map Viewer, available at <https://ngmdb.usgs.gov/topoview/viewer/#4/39.98/-100.06>
-

II. Appearance by Applicants

Applicants:	Tarpon Towers II, LLC (TT)
Representatives:	David A. Ball, Esq. & Philip C. Pires, Esq. Cohen and Wolf PC
and	New Cingular Wireless PCS, LLC (ATT)
Representatives:	Lucia Chiocchio, Esq. & Kristen Motel, Esq. Cuddy & Feder, LLP

A. Administrative Notice.

1. **DOCKET NO. 488** - Homeland Towers, LLC and New Cingular Wireless PCS, LLC d/b/a AT&T application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility

located at one of two sites: Kent Tax Assessor ID #M10, Block 22, Lot 38 Bald Hill Road or 93 Richards Road, Kent, Connecticut. Record *available at* https://portal.ct.gov/CSC/1_Applications-and-Other-Pending-Matters/Applications/3_DocketNos400s/Docket-No-488-Homeland-ATT-Kent

B. Exhibits for Identification.

1. Application for a Certificate of Environmental Compatibility and Public Need filed by New Cingular Wireless PCS, LLC d/b/a AT&T and Tarpon Towers II, LLC, received May 26, 2022, and attachments and bulk file exhibits including:

Bulk file exhibits:

- a. Technical Report, dated August 30, 2021
 - b. Town of Westport Zoning Regulations
 - c. Town of Westport Zoning Map
 - d. Town of Westport 2017 Plan of Conservation and Development
 - e. Town of Westport Wetlands and Watercourses Regulations
2. Applicants' Affidavit of Publication, dated June 2, 2022
 3. Applicants' Sign Posting Affidavit, dated July 27, 2022
 4. Applicants' Responses to Council Interrogatories, Set One, with attachments, dated August 1, 2022
 5. Applicants' Responses to Town of Westport Interrogatories, Set One, Nos. 1-2, 4, 6-9, with attachments, dated August 1, 2022
 6. Pre-Filed Testimony of Keith Coppins, submitted August 2, 2022
 7. Applicants' Responses to Town of Westport Interrogatories, Set One, Nos. 3 and 5, dated August 3, 2022
 8. Applicants' Updated Response to Town of Westport Interrogatories, Set One, No. 6, Attachment 3, dated August 8, 2022

C. Swear Witnesses

1. Keith Coppins, Tarpon Towers II, LLC
2. Douglas Roberts, Tarpon Towers II, LLC
3. Harry Carey, Director, External Affairs, AT&T
4. David Walsh, Program Manager, Smart Link Group
5. Dean Gustafson, Senior Wetland Scientist, All Points Technology Corporation P.C.
6. Brian Gaudet, Project Manager, All Points Technology Corporation P.C.
7. Martin Lavin, Radio Frequency Engineer, C² Systems

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
 2. Verizon Wireless
 3. Town of Westport
 4. Donald Bergmann
-

III. Appearance by Intervenor: Cellco Partnership d/b/a Verizon Wireless (VER)

Representative: Kenneth C. Baldwin, Esq.
Robinson & Cole LLP

A. Administrative Notice.

1.

B. Exhibits for Identification.

1. Verizon's Request for Intervenor Status, dated June 7, 2022
2. Verizon's Responses to Council Interrogatories, Set One, with attachments, dated July 28, 2022
3. Verizon's Response to Council Interrogatories, Set One, No. 24, Attachment 1 - Generator Specification Sheet, submitted August 2, 2022
4. Verizon's Responses to Town of Westport Interrogatories, with attachments, dated August 2, 2022

C. Swear Witnesses

1. Shiva Gadasu, Radio Frequency Engineer, Verizon Wireless
2. Timothy Parks, Real Estate/Regulatory Specialist, Verizon Wireless

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Applicants
3. Town of Westport
4. Donald Bergmann

IV. Appearance by Party: Town of Westport

Representatives: Ira W. Bloom, Esq. & Nicholas Bamonte, Esq.
Berchem & Moses, PC

A. Administrative Notice.

1.

B. Exhibits for Identification.

1. Town of Westport Request for Party Status, dated June 21, 2022
2. Town of Westport Locational Preferences, pursuant to CGS §16-50gg, dated June 21, 2022
3. Town of Westport Pre-Filed Testimony of Alicia Mozian, Conservation Director, with attachments, dated August 8, 2022

C. Swear Witnesses

1. Alicia Mozian, Town of Westport Conservation Director
2. David Maxson, Isotrope, LLC

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Applicants
3. Verizon Wireless
4. Donald Bergmann

V. Appearance by Intervenor: Donald Bergmann

A. Administrative Notice.

1. Town of Westport Conservation Department Memorandum to First Selectman Marpe and Town Attorney Bloom, dated June 23, 2021
2. Town of Westport Historic District Commission Section 106 National Historic Preservation Act correspondence, dated June 24, 2021.

B. Exhibits for Identification.

1. Donald Bergmann Pre-Filed Submission, dated June 22, 2022 **(Items (2) and (8) were stricken by the Council on July 21, 2022)**
2. Donald Bergmann, Request for Intervenor Status, dated June 30, 2022 **(Items (ii) and (iv) were stricken by the Council on July 21, 2022)**
3. Donald Bergmann Pre-Filed Testimony, dated August 1, 2022
4. Donald Bergmann Comments on Applicants' Interrogatory Responses, dated August 4, 2022

C. Swear Witnesses

1. Donald Bergmann

D. Full Exhibits - Verification of exhibits by witnesses and admission by the Council.

E. Cross Examination.

1. Council
2. Applicants
3. Verizon Wireless
4. Town of Westport

VI. Continuation by Connecticut Siting Council.