



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

August 31, 2022

TO: Service List dated August 18, 2022

FROM: Melanie A. Bachman, Executive Director *MAB*

RE: **DOCKET NO. 511** – Barrett Outdoor Communications application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 200 East Main Street Rear, Stratford, Connecticut.

The Connecticut Siting Council (Council) will hold a pre-hearing conference **via Zoom Remote Conferencing** on procedural matters on Wednesday, September 7, 2022, beginning at 11:00 a.m. **All parties and intervenors are requested to participate.** The purpose of this pre-hearing conference is to expedite the hearing procedure without sacrificing an informative record necessary for the Council to render a decision.

Join Zoom Meeting

<https://us06web.zoom.us/j/81815289613?pwd=Mkt0MkxCbXVtdFBIUFp3R1pETTF5UT09.>

Meeting ID: 818 1528 9613

Passcode: 0GQsi7

Dial +1 929 205 6099 US (New York)

Meeting ID: 818 1528 9613

Passcode: 420951

During the conference, parties and intervenors will be encouraged to discuss requirements for pre-filed testimony, exhibit lists, administrative notice lists, expected witness lists, and the filing of pre-remote hearing interrogatories. To save the time and expense of the public, **the Council does not allow direct testimony** at the public hearing.

Each party and intervenor is requested to provide all other parties and intervenors a list of witnesses and the subjects their pre-filed testimony will address, a list of documents to be administratively noticed, and copies of any available exhibits to be offered at the public hearing.

For parties and intervenors who are not represented by counsel, please indicate in writing who shall be the **designated representative for the public hearing in the witness list.**

For the applicant, please indicate in writing who shall be the **designated presenter during the 6:30 p.m. public comment session in the witness list and what site plan will be used for the presentation.** Please submit the site plan(s) for the presentation as a separate pdf for posting to the Council's website.

MAB/RDM/emr



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Pre-Hearing Conference: Procedure for Public Hearing of October 6, 2022

DOCKET NO. 511 – Barrett Outdoor Communications application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 200 East Main Street Rear, Stratford, Connecticut.

Pre-hearing Procedure

1. On or before September 22, 2022, all parties and intervenors are requested to electronically exchange pre-hearing interrogatories with all other parties and intervenors.
2. On or before September 29, 2022, all parties and intervenors are requested to file responses to pre-hearing interrogatories and exchange pre-filed testimony, exhibits, witness lists, and items to be noticed administratively with the Council and all other parties and intervenors. For parties and intervenors who are not represented by counsel, please indicate in writing who shall be the **designated representative for the remote public hearing in the witness list**. To save the time and expense of parties, intervenors, and the public, all parties and intervenors are encouraged to resolve discrepancies of these items before the remote hearing.
3. Any person seeking to be admitted as a party or intervenor to the proceeding is requested to electronically file a written petition with the Council on or before September 29, 2022.
4. Pursuant to Section 16-50j-21 of the Regulations of Connecticut State Agencies, at least ten days prior to the public hearing, the applicant shall erect and maintain, in a legible condition, a sign not less than six feet by four feet along a public road at or in the vicinity of where the proposed facility would be located. The sign shall set forth the name of the applicant, the type of facility, the public hearing date, and contact information for the Council (Web site and phone number). **The sign shall not be removed from the site until after the commencement of the evening public comment session.**
5. Attached is a list of the Council's administrative notice items. Objections to any item on the list should be sent to the Council before the remote hearing.

Hearing Procedure

6. The 2:00 p.m., October 6, 2022, remote evidentiary hearing session will provide the applicant, parties, and intervenors an opportunity to introduce exhibits and witnesses, and cross-examine positions. The applicant will be allowed to present its exhibits and witness panel, and then be subject to cross-examination by the Council and all parties and intervenors. All parties and intervenors will then be allowed to introduce their exhibits and witness panels, and be subject to cross-examination by the Council, the applicant and all other parties and intervenors.

7. The order of appearances and cross-examination will be governed by a Hearing Program developed by the Council for the proceeding. The Council will issue the Hearing Program prior to the remote hearing.
8. All microphones will be muted upon entry into the meeting and will be turned on in the order of party appearances and cross examination governed by the Hearing Program.
9. If any party or intervenor designated representative or witness is using the Zoom dial-in option from a telephone, the phone number and name of the person must be provided in writing to the Council in advance so the phone number can be matched with the appropriate designated representative or witness. **If the phone number and name of the person is not provided in writing to the Council in advance, they will not be admitted into the meeting.**
10. The 6:30 p.m. remote public comment session on October 6, 2022, will be reserved for the public to make oral limited appearance statements. **Public statements will be limited to 3 minutes.** The Council requests that the applicant conduct a brief presentation prior to remote public comment, describing proposed facility features from a site plan already submitted into the record. For the applicant, please indicate in writing who shall be **the designated presenter during the 6:30 p.m. remote public comment session in the witness list. This site plan will be projected on the Zoom meeting screen during the public comment session.**
11. The Council may, at its discretion, group parties and intervenors with the same interests.
12. Individuals will be encouraged to participate through their elected officials and other party or intervenor groupings.
13. Pursuant to Section 16-50j-15b of the Regulations of Connecticut State Agencies, any party or intervenor, including those that are members of non-profit corporations or citizens groups, that have attained party or intervenor status in the proceeding are deemed to be represented in the proceeding and may not submit oral or written limited appearance statements.
14. All participants will be encouraged to be brief, concise, non-repetitious, and courteous of all other participants.
15. Any person may be removed from the Zoom remote evidentiary session or public comment session at the discretion of the Council.

Post-hearing procedure

16. A verbatim transcript of the remote hearing session will be posted on the Council's project webpage and deposited with the Stratford Town Clerk's office and the Milford City Clerk's Office for the convenience of the public.
17. Parties and intervenors will be allowed to submit briefs and proposed findings of fact within 30 days after the close of the remote hearing.
18. Members of the public will be allowed to submit written limited appearance statements within 30 days after the close of the remote hearing.
19. Deadlines for briefs, proposed findings of fact, and written statements will be final and no extensions will be granted.



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Administrative Notice List

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*
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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>.*
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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>
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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

34. **PETITION NO. 1467** - Barrett Outdoor Communications, Inc. petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed relocation of existing non-tower antenna arrays from a non-jurisdictional billboard located at 28 Sidney Street to a new telecommunications facility proposed to be constructed, maintained and operated at 200 East Main Street, Rear, Stratford, Connecticut, *available at* https://portal.ct.gov/CSC/3_Petitions/Petition-Nos-1461-1470/PE1467-Barrett-Stratford

Department of Energy and Environmental Protection

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40. 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.
41. 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
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Department of Transportation

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MAPS

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76. 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>
77. NATIONAL AUDUBON SOCIETY, *Connecticut Important Bird Areas*, available at <http://netapp.audubon.org/iba/state/US-CT>
78. Mail-A-Map Street Map, Town of Stratford and City of Milford, available at <http://mailamap.com/street-maps>
79. UNITED STATES GEOLOGICAL SURVEY, Interactive Topographical Map Viewer, available at <https://ngmdb.usgs.gov/topoview/viewer/#4/39.98/-100.06>

Instructions for Parties and Intervenors for Docket No. 511

Remote Public Hearing

1. Attendees can join by clicking (or entering) the following link:
<https://us06web.zoom.us/j/86096445385?pwd=TkNXSm9KZ0dOOUZQNnA4UTJUL2UvQT09> from a computer, smartphone, or tablet. **Meeting ID: 860 9644 5385 and Passcode: r80ckk**
No prior software download is required.
2. For audio-only participation, attendees can join by dialing in at **1(929) 205-6099 (not toll free)** and then enter the **Meeting ID: 860 9644 5385 and Passcode: 328593** from a telephone
3. All participants are requested to mute sound notifications on their computer, smartphone or tablet. Telephones are often equipped with a “do not disturb” feature for the dial-in option.
4. If any participant is using the **dial-in option from a telephone**, the phone number and name of the participant must be provided in advance so the phone number can be matched with the appropriate participant by NAME. **If the phone number and name of the person is not provided in writing to the Council in advance, they will not be admitted into the meeting.** If using the link, unless the participant types in their name when entering the meeting, the email and name of the participant must be provided in advance so the email can be matched with the appropriate participant by NAME. If the NAME of the person is not typed in or provided when entering the meeting, they will not be admitted into the meeting. Please inform your witness panels.
5. All microphones will be muted upon entry into the meeting and will be turned on in the order of party appearances and cross examination governed by the Hearing Program.
6. The Presiding Officer will read an opening statement and cross examination of the applicant by the Council will commence, one by one, beginning with the staff analyst. Thereafter, the designated representative for each party and intervenor will cross examine the applicant.
7. Once cross examination of the applicant by the Council and all parties and intervenors concludes, cross examination of the next party listed on the Hearing Program by the Council will commence, one by one, beginning with the staff analyst. Thereafter, the designated representative for each party and intervenor will cross examine the appearing party.