

STATE OF CONNECTICUT connecticut siting council

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VIA ELECTRONIC MAIL

October 26, 2023

Lucia Chiocchio, Esq. Daniel Patrick, Esq. Cuddy & Feder LLP 445 Hamilton Avenue, 14th Floor White Plains, New York 10601 <u>lchiocchio@cuddyfeder.com</u> <u>dpatrick@cuddyfeder.com</u>

David A. Ball, Esq. Philip C. Pires, Esq. Cohen and Wolf, P.C. 1115 Broad Street Bridgeport, CT 06604 <u>dball@cohenandwolf.com</u> ppires@cohenandwolf.com

RE **DOCKET NO. 518** – New Cingular Wireless PCS, LLC d/b/a AT&T and Tarpon Towers III, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 99 Dart Hill Road, South Windsor, Connecticut. **Council Interrogatories to Applicants.**

Dear Attorneys Chiocchio, Patrick, Ball and Pires:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than November 16, 2023.

Please submit an original and 15 copies to the Council's office and an electronic copy to <u>siting.council@ct.gov</u>. In accordance with the State Solid Waste Management Plan and in accordance with Section 16-50j-12 of the Regulations of Connecticut State Agencies, the Council requests all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators. Fewer copies of bulk material may be provided as appropriate.

Please be advised that the original and 15 copies are required to be submitted to the Council's office on or before the November 16, 2023 deadline.

Copies of your responses are required to be provided to all parties and intervenors listed in the service list, which can be found on the Council's website under the "Pending Matters" link.

Any request for an extension of time to submit responses to interrogatories shall be submitted to the Council in writing pursuant to §16-50j-22a of the Regulations of Connecticut State Agencies.

Sincerely,

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Melanie Bachman Executive Director

c: Service List dated August 22, 2023

Docket No. 518 New Cingular Wireless PCS, LLC d/b/a AT&T and Tarpon Towers III, LLC Pre-Hearing Interrogatories Set One

Notice

- 1. Referencing Application Exhibit D, of the letters sent to abutting property owners, how many certified mail receipts were received? If any receipts were not returned, which owners did not receive their notice? Were any additional attempts made to contact those property owners?
- 2. Have the Applicants received any comments since the Application was submitted to the Council? If yes, summarize the comments and how these comments were addressed.

Proposed Site

- 3. Is the project, or any portion of the project, proposed to be undertaken by state departments, institutions or agencies, or to be funded in whole or in part by the state through any contract or grant?
- 4. Pursuant to CGS § 16-500, submit a copy of the unredacted lease for the proposed site. A Motion for Protective Order may be submitted for any confidential/proprietary information.
- 5. Referencing Application p. 31 submit a copy of the May 8, 2023 Town Co-Location Application for the proposed facility.
- 6. Referencing Application p. 33, what is the estimated cost of New Cingular Wireless PCS, LLC d/b/a AT&T (AT&T) equipment and its installation? How is this cost recovered?
- 7. Referencing Application p. 33, how would Tarpon Towers III, LLC (Tarpon) recover the facility construction cost?
- 8. Would the Applicants conduct a geotechnical survey prior to construction on the proposed site? If so, please describe how the survey would be conducted. Would tree removal be necessary?
- 9. Referencing Application Exhibit F Site Search Summary, when did Tarpon and AT&T commence a site search for the proposed service area? Identify the approximate center and radius of the site search area.
- 10. Referencing Application Exhibit F Site Search Summary, please provide the distances to the sites investigated from the proposed site.
- 11. What is the height of the transmission line structures in the site area? What is the line voltage?
- 12. Were the transmission line structures in the site area considered for telecommunications use?
- 13. Could the proposed site be relocated to the north side of the transmission line right of way to eliminate the need to cross the right of way? Explain.

14. Are small cells a feasible alternative to a new tower? Estimate the number of pole-mounted small cells that would be required for reliable service within the proposed service area. Would certain frequencies be limited through the use of small cells? What would be the cost of each small cell for both the use of existing utility poles and new poles specific for small cells. What type of equipment would be attached to each pole?

Proposed Facility and Associated Equipment

- 15. Would the tower be designed for EIA/TIA-222 structural standards version G, H, or both?
- 16. What is the maximum wind speed tolerance for the antennas on the proposed tower?
- 17. Would the tower and foundation be designed to accommodate an increase in tower height?
- 18. What is the structural design standard applicable to the proposed platform antenna mounts?
- 19. Would any blasting be required to develop the site?
- 20. Provide the total area for the construction limits of disturbance.
- 21. Pursuant to CGS §16-50p(a)(3)(G), identify the safety standards and/or codes by which equipment, machinery or technology that would be used or operated at the proposed facility. What structural design codes apply to the tower and antenna mounts?
- 22. Referring to Application p. 8 and Exhibit G, have the Applicants reached an agreement with Eversource to cross or utilize the Eversource right-of-way for access to the site? Is the right-of-way gated?
- 23. Is any portion of the proposed site, including the lease area and access road, currently in productive agricultural use?
- 24. Does the proposed site contain any Prime Farmland Soils and/or Statewide Important Farmland Soils? If so, provide an agricultural resources map and the acreage of disturbance of these soils for the proposed project.
- 25. Is the site parcel part of the Public Act 490 Program? If so, how does the town land use code classify the parcel?
- 26. Would any tree clearing occur within core forest? If so, how many acres? Under Connecticut General Statutes §16-50k, "Core forest" means unfragmented forest land that is three hundred feet or greater from the boundary between forest land and nonforest land, as determined by the Commissioner of Energy and Environmental Protection." How would tree clearing affect core forest?
- 27. Application Exhibit G references a 75-foot by 75-foot proposed lease area, however Application Exhibit I references a 100-foot by 100-foot lease area. Please clarify.
- 28. What is the distance from the edge of the electric transmission line right-of-way to the compound fence and the proposed tower?
- 29. Any there any restrictions/NESC clearance requirements on how close the tower and any associated equipment can be to the right-of-way and/or transmission lines?

Proposed Wireless Services

- 30. Are all frequencies used to transmit voice and data?
- 31. Referencing Application, Exhibit E Radio Frequency Engineering Report, provide existing and proposed coverage plots for all proposed frequencies other than 700 MHz.
- 32. Referring to Exhibit E, what is AT&T's minimum required signal strength for in-vehicle coverage and for in-building coverage for all proposed frequencies other than 700 MHz.
- 33. Can coverage objectives be met by installing antennas at a lower tower height? Identify the lowest possible antenna height and describe how this height would affect coverage needs and/or capacity relief within the service area.
- 34. Does AT&T have any statistics on dropped calls and/or ineffective attempts in the vicinity of the proposed facility? If so, what do they indicate? Does AT&T have any other indicators of substandard service in this area?
- 35. Referring to Application Exhibit E attachment 2 and Table 2, would the proposed facility interact with all 12 of the neighboring sites depicted? Explain.
- 36. In addition to coverage, would the proposed site also provide capacity relief to adjacent AT&T sites that are at or near exhaustion? If yes, provide information regarding these sites (location, sector, and frequency).
- 37. Would the proposed site provide adequate service to the coverage area for all frequencies that AT&T would deploy?
- 38. Provide existing coverage gaps in miles for the proposed frequencies for the nearby portion of the Highway Route 74, Avery Street, Dart Hill Road, Miller Road and the surrounding local roads, the overall existing coverage footprints in square miles and the proposed coverage mileage and square miles as represented in the example below:

Street Name	700 MHz Coverage Gap	1900 MHz Coverage Gap	2100 MHz Coverage Gap
Route 2	2.5 miles	5 miles	4.5 miles
Route 32	1.0 mile	3 miles	2 miles
Route 87	0.5 mile	2.5 miles	1 mile
Interstate 395	2.5 miles	2.5 miles	2.5 miles
State Road Total	6.5 miles	13 miles	10 miles

Overall Coverage Footprint	49 square miles	6 square miles	7.5 square miles
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Emergency Backup Power

- 39. Referring to Application p. 26 and page 14 of the Technical Report, please provide the generator capacity and the fuel tank capacity for the proposed emergency backup generator.
- 40. Would the backup generator have containment measures to protect against fluid leakage?
- 41. Is natural gas available in the site vicinity? Have the Applicants considered the use of a natural gaspowered backup generator? Please identify the nearest natural gas connection point.
- 42. Referring to question 41 above and the nearby transmission lines, what safety measures (ex. "No spark zone") would be required if the Applicants were to use a natural gas or propane fueled emergency backup generator?
- 43. What would be the estimated runtime for AT&T's proposed generator before it would need to be refueled, assuming it is running at full load under normal conditions?
- 44. Is a backup battery system also proposed? If yes, how long can it provide power to AT&T's equipment if the backup generator failed to start?
- 45. Would the proposed backup generator run periodically(exercised) for maintenance purposes? If so, at what frequency and duration? Would this be scheduled for daytime hours?
- 46. Could the proposed generator be shared by other carriers that may locate at the proposed facility? What effect would a shared generator have on the run time of the generator if at full load?
- 47. Would the proposed backup generator be managed to comply with Regulations of Connecticut State Agencies Section 22a-174-3b?

Public Health and Safety

- 48. What measures are proposed for the site to ensure security and deter vandalism? (Including alarms, gates, locks, anti-climb fence design, etc.)
- 49. Referencing Application p. 15, would the proposed facility support text-to-911 service? Is additional equipment required for this purpose?
- 50. Would AT&T's installation comply with the intent of the Warning, Alert and Response Network Act of 2006?
- 51. Is the proposed facility located within a Department of Energy and Environmental Protection designated Aquifer Protection Area or within a public water supply watershed area?
- 52. Besides the backup power source, what other facility equipment generates noise? Would the noise from this equipment (non-backup power sources) comply with Department of Energy and Environmental Protection noise control standards at the property boundaries?
- 53. Is lighting required at the facility? If so, for what purpose and what type would be installed?

- 54. Does the design of the access road enable passage of emergency services vehicles, including, but not limited to, fire trucks?
- 55. Would Eversource, or any other third party, have rights to use the proposed facility access road?
- 56. What is the required clearance for the facility and associated ground equipment in relation to the transmission lines?
- 57. What is the required safety zone from the transmission lines to the platform-mounted antennas.
- 58. Does the Applicant anticipate a future extension of the tower. Would such an extension meet transmission line clearance requirements? Explain.
- 59. Have the Applicants discussed the proposed project with Eversource? If yes, when and with whom? If no, where did the Applicants obtain conductor clearance requirements necessary to construct the facility?
- 60. Under what circumstances could the required transmission line clearance be modified in the future (ex. updated industry standards)? How would the Applicants ensure compliance with any future clearance standards?

Environmental Effects and Mitigation Measures

- 61. Referencing Application Exhibit H Visibility Assessment, estimate the number of residences that would have seasonal and/or year-round views within 0.5 miles of the proposed tower.
- 62. What, if any, stealth tower design options would be feasible to employ at this site? Please provide costs related to each stealth tower design.
- 63. What is the height range of the surrounding tree canopy?
- 64. What changes in visibility would occur if the proposed facility were relocated to the north side of the ROW?
- 65. Is the proposed facility within a shaded area on the Connecticut Department of Energy and Environmental Protection Natural Diversity Data Base (DEEP NDDB) map? If yes, has Tarpon consulted with the DEEP NDDB and/or received a response from the DEEP NDDB?
- 66. Provide an erosion and sedimentation (E&S) control plan consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, for the proposed project.
- 67. Submit photographic site documentation with notations linked to the site plans or a detailed aerial image that identifies locations of site-specific and representative site features. The submission should include photographs of the site from public road(s) or publicly accessible area(s) as well as Site-specific locations depicting site features including, but not necessarily limited to, the following locations as applicable:

For each photo, please indicate the photo viewpoint direction and stake or flag the locations of sitespecific and representative site features. Site-specific and representative site features include, but are not limited to, as applicable:

- a. wetlands, watercourses and vernal pools;
- b. forest/forest edge areas;
- c. agricultural soil areas;
- d. sloping terrain;
- e. proposed stormwater control features;
- f. nearest residences;
- g. Site access and interior access road(s);
- h. tower location/compound;
- i. clearing limits/property lines;
- j. mitigation areas; and
- k. any other noteworthy features relative to the Project.

A photolog graphic must accompany the submission, using a site plan or a detailed aerial image, depicting each numbered photograph for reference. For each photo, indicate the photo location number and viewpoint direction, and clearly identify the locations of site specific and representative site features shown (e.g., physical staking/flagging or other means of marking the subject area).

The submission shall be delivered electronically in a legible portable document format (PDF) with a maximum file size of <20MB. If necessary, multiple files may be submitted and clearly marked in terms of sequence.