

STATE OF CONNECTICUT *CONNECTICUT SITING COUNCIL* Ten Franklin Square, New Britain, CT 06051 Phone: (860) 827-2935 Fax: (860) 827-2950 E-Mail: <u>siting.council@ct.gov</u> Web Site: www.ct.gov/csc

VIA ELECTRONIC MAIL

February 14, 2024

TO:	Service List, dated November 29, 2023
FROM:	Melanie A. Bachman, Executive Director
RE:	DOCKET NO. 520 – Homeland Towers, LLC and Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 124 Ague Spring Road, Haddam, Connecticut.

The Connecticut Siting Council (Council) will hold a pre-hearing conference via Zoom Remote Conferencing on procedural matters on Wednesday, February 21, 2024, 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/86131705567?pwd=aAe1gAS1oxFalPligARMPGr2DMO8nb.1

Meeting ID: 861 3170 5567 Passcode: bc35sG

Dial +1 929 205 6099 US (New York) Meeting ID: 861 3170 5567 Passcode: 529755

During the conference, parties and intervenors will be encouraged to discuss requirements for prefiled testimony, exhibit lists, administrative notice lists, expected witness lists, and the filing of prehearing 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.

MB/RDM/laf



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Connecticut Siting Council Pre-Hearing Conference: Procedure for Public Hearing of March 21, 2024

DOCKET NO. 520 – Homeland Towers, LLC and Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 124 Ague Spring Road, Haddam, Connecticut.

Pre-hearing Procedure

- 1. On or before March 7, 2024, all parties and intervenors are requested to electronically exchange pre-hearing interrogatories with all other parties and intervenors.
- 2. On or before March 14, 2024, 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 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 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 March 14, 2024.
- 4. Pursuant to § 16-50j-21 of the Regulations of Connecticut State Agencies (RCSA), 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 hearing.

Hearing Procedure

6. The 2:00 p.m., March 21, 2024, 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 hearing.
- 8. All microphones will be muted upon entry into the Zoom 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 dialin 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. public comment session on March 21, 2024, will be reserved for the public to make brief statements into the record. Public statements will be limited to 3 minutes. The Council requests that the applicant conduct a brief presentation prior to 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. 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 RCSA § 16-50j-15b, 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 evidentiary session and/or public comment session at the discretion of the Council.

Post-hearing procedure

- 16. A verbatim transcript of the evidentiary and public comment hearing sessions will be posted on the Council's project webpage and deposited with the Haddam Town Clerk's Office, Connecticut 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 hearing.
- 18. Members of the public will be allowed to submit written statements into the record within 30 days after the close of the 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 Docket No. 520

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- 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* <u>https://transition.fcc.gov/Reports/tcom1996.pdf</u>
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- 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*. <u>https://www.gpo.gov/fdsys/pkg/CFR-2013-title47-vol1/pdf/CFR-2013-title47-vol1-sec1-1307.pdf</u>
- 10. Radiofrequency Radiation Exposure Limits, 47 C.F.R. § 1.1310, as amended, *available at* <u>https://www.gpo.gov/fdsys/pkg/CFR-2002-title47-vol1/pdf/CFR-2002-title47-vol1-sec1-1310.pdf</u>
- 11. Presidential Proclamation No. 8460, 74 Fed. Reg. 234 (December 8, 2009), available at http://www.presidency.ucsb.edu/ws/index.php?pid=86954

- Presidential Order No. 13616, Accelerating Broadband Infrastructure Development, 77 Fed. Reg. 119 (June 14, 2012), available at <u>http://www.gpo.gov/fdsys/pkg/FR-2012-06-20/pdf/2012-15183.pdf</u>
- 13. Presidential Policy Directive No. 21, Critical Infrastructure Security and Resilience, February 12, 2013, available at <u>https://obamawhitehouse.archives.gov/the-press-office/2013/02/12/presidential-policy-directive-critical-infrastructure-security-and-resil</u>
- 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* <u>https://www.fws.gov/sites/default/files/documents/usfws-communication-tower-guidance.pdf</u>
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- 16. FEDERAL AVIATION ADMINISTRATION, Obstruction Marking and Lighting, Advisory Circular AC No. 70/7460-1M, November 16, 2020, available at <u>https://www.faa.gov/documentLibrary/media/Advisory_Circular/Advisory_Circular_70_746</u> 0_1M.pdf
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- 18. UNITED STATES FEDERAL AVIATION ADMINISTRATION, Obstruction Evaluation Version 2023-Sep.3, Notice Criteria Tool available at <u>https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=showNoNoticeRequiredToolForm</u>
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Instructions for Parties and Intervenors for Docket No. 520 Public Hearing

- Attendees can join by clicking (or entering) the following link: <u>https://us06web.zoom.us/j/85020200432?pwd=4kTCQdVovjZx4p7PxMbxJwsSahJWCD</u>
 <u>.1</u> from a computer, smartphone, or tablet. Meeting ID: 850 2020 0432 and Passcode: hstT7B 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: 850 2020 0432 and Passcode: 169933 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 must be provided in advance so the email can be matched with the appropriate participant participant by NAME. If the NAME of the person is not provided in or provided when entering the meeting, they will not be admitted into 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.