

STATE OF CONNECTICUT CONNECTICUT SITING COUNCIL

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Hearing Program
Docket No. 494
Tuesday, December 8, 2020
Zoom Remote Public Hearing

- I. Opening by Council
 - A. Statement read by Presiding Officer.
 - B. 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-112publ96.pdf

- 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
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- 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 August 2016, available at https://www.fws.gov/migratorybirds/pdf/management/usfwscommtowerguidance.pdf
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- 25. FEDERAL COMMUNICATIONS COMMISSION, 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, Third Report and Order, FCC 18-133, September 27, 2018, available at https://docs.fcc.gov/public/attachments/DOC- 353962A1.pdf
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- 30. STATE OF CONNECTICUT SITING COUNCIL, Statewide Telecommunications Coverage Database, available at http://www.ct.gov/csc/cwp/view.asp?a=895&Q=248312&cscNav=
- 31. **DOCKET NO. 432** Feasibility study of back-up power requirements for telecommunications towers and antennas pursuant to Public Act 12-148, available at http://www.ct.gov/csc/cwp/view.asp?a=962&O=511254&PM=1

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Department of Transportation

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Other State Agencies

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TECHNICAL

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MAPS

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- 76. Mail-A-Map Street Map, Wolcott, available at http://mailamap.com/street-maps
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- E. State Agency Comments
 - 1. Council on Environmental Quality Comments, dated September 30, 2020
 - 2. Department of Transportation Comments, dated November 2, 2020
- II. Appearance by Applicant

Applicant: Cellco Partnership d/b/a Verizon Wireless

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

A. Administrative Notice.

1.

- B. Exhibits for Identification.
 - 1. Application for a Certificate of Environmental Compatibility and Public Need filed by Cellco Partnership d/b/a Verizon Wireless, received September 2, 2020, and attachments and bulk file exhibits including:

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Bulk file exhibits:

- a. Town of Wolcott Zoning Regulations
- b. Town of Wolcott Plan of Conservation and Development
- c. Town of Wolcott Inland Wetlands and Watercourses Regulations
- d. Technical Report
- 2. Protective Order related to unredacted lease agreement, signed October 8, 2020
- 3. Applicant's Responses to Council Interrogatories, Set One, dated November 13, 2020
- 4. Applicant's Sign Posting Affidavit, dated November 18, 2020
- 5. Applicant's Responses to Council Interrogatories, Set Two, dated December 1, 2020

C. Swear Witnesses

- 1. Timothy Parks, Real Estate Regulatory Specialist, Verizon Wireless
- 2. Ziad Cheiban, Radio Frequency Design Engineer, Verizon Wireless
- 3. Bradley Parsons, P.E., All-Points Technology Corporation P.C.
- 4. Hu Jiazhu, P.E., Nexius
- 5. Brian Gaudet, Project Manager, All-Points Technology Corporation P.C.
- 6. Michael Libertine, LEP, Director of Siting & Permitting, All Points Technology Corp. P.C.
- 7. Dean Gustafson, Senior Wetland Scientist and Professional Soil Scientist, All Points Technology Corp. P.C.
- D. Full Exhibits Verification of exhibits by witnesses and admission by the Council.
- E. Cross Examination.
 - 1. Council
 - 2. AT&T

III. Appearance by Intervenor: New Cingular Wireless PCS, LLC (AT&T)

Representative: Daniel Patrick, Esq. Cuddy & Feder LLP

A. Administrative Notice.

1.

- B. Exhibits for Identification.
 - 1. AT&T Request to Intervene, dated October 30, 2020
 - 2. AT&T Responses to Council Interrogatories, dated December 1, 2020

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C. Swear Witnesses

- 1. Martin Lavin, Radio Frequency Engineer, C Squared Systems
- 2. Daniel Bilezikian, Site Acquisition Project Manager, SAI Group
- D. Full Exhibits Verification of exhibits by witnesses and admission by the Council.
- E. Cross Examination.
 - 1. Council
 - 2. Applicant
- IV. Closing or Continuation by Connecticut Siting Council.