

DATE: January 18, 2008

TO: Council Members

FROM: S. Derek Phelps, Executive Director

RE: **DOCKET NO. 342** - Optasite Towers LLC and Omnipoint Communications, Inc. application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 425 Litchfield Road, New Milford, Connecticut.

**DOCKET NO. 355** - 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 359 Litchfield Road, New Milford, Connecticut.

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## I. Introduction

On December 18, 2007, the Council ruled to combine the two above referenced proceedings into one hearing for the benefit of the public on the basis that the two applications each propose a wireless telecommunications facility that would serve the same general area. Both applications seek to serve Route 202 in northern New Milford and southern Washington.

The Docket 342 application is from Optasite Towers LLC (Optasite) and Omnipoint Communications, Inc. (T-Mobile) for the construction, maintenance, and operation of a 140-foot monopole telecommunications facility and associated equipment at 425 Litchfield Road in New Milford. The property consists of a 28.8-acre undeveloped parcel zoned for business use. The tower site would be located on a hillside in the center of the parcel.

The Docket 355 application is from Verizon Wireless for the construction maintenance, and operation of a 150-foot monopole telecommunications facility and associated equipment at Northville Volunteer Fire Department property at 359 Litchfield Road in New Milford. The tower site would be at the base of a ridge to the rear of the firehouse.

## II. Technical

Both applications include relevant maps, description of each proposed site, project costs, a description of the environmental effects of the proposed construction, and health and safety information. Both applications meet statutory technical requirements for processing of the applications. Council staff believes additional information can be obtained through pre-hearing interrogatories.

### III. Administrative Review

Both applicants have stated that all service and filing requirements pursuant to General Statutes § 16-501 (b) have been fulfilled. The Docket 342 applicant stated that notice to the general public was published in The News Times on June 18 & 20, 2007, and in The New Milford Spectrum on 20, 2007. The Docket 355 applicant stated the notice to the general public was published in the The News Times on December 4 & 5 2007.

### IV. Procedural

The Council must schedule a hearing for the proceeding between 30 and 150 days after receipt of an application. Prior to the Council voting to hold a combined hearing, a hearing regarding the Docket 342 application was held on September 7, 2007. The Docket 355 application was filed on December 7, 2007, before the Council could render a decision on the D 342 proceeding.

The combined hearing will be held at the New Milford High School Cafeteria on March 11, 2008. The transcript for the hearing will be deposited in the New Milford Town Hall.

### V. Proposed Schedule

Pre-hearing conference (10:00 a.m.)	February 13, 2008
Pre-filed testimony due	March 5, 2008
Deadline to request Party/Intervenor status	March 5, 2008
Field review (3:00 p.m.)	March 11, 2008
Hearing (4:00 p.m. and 7:00 p.m.)	March 11, 2008
Close of Record	April 10, 2008
Draft Findings of Fact	April 24, 2008
Draft Findings of Fact, Opinion & Decision & Order	May 8, 2008
Deadline for Decision	D 355 - June 4, 2008 D 342 - June 16, 2008

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Siting Analyst